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## **Prohibiting and Controlling the Use of a Water Source By-Law**

### **1. Purpose:**

The purpose of this By-Law is to protect public health, ensure the safety of the municipal water supply, and reduce risks associated with unregulated water sources within the Town of Victoria

### **2. Definitions:**

- 2.1. Contaminant:** Any physical, chemical, biological, or radiological substance or matter in water that can cause harm to human health.
- 2.2. Public Health:** The overall health and wellbeing of community members, encompassing the risk of injury, disease, and death.
- 2.3. Recreational Activities:** These include, but are not limited to, swimming, boating and fishing.
- 2.4. Source of Water:** Any body of water, including streams, rivers, marshes, surface water (both temporary and permanent), brooks, ponds, and lakes.

### **3. Authority:**

Section [7.1\(b\)](#) of the **Towns and Local Service Districts Act** (the 'Act') mandates that a town council shall adopt by-laws prohibiting and controlling the use of a source of water that the town council considers to be dangerous to public health. Any source of water listed below has been identified as a dangerous or unknown risk to public health due to its unregulated and untested water quality.

These restrictions are necessary to maintain the safety of the Town's potable water, reduce contamination risks, and comply with established public health and environmental protection standards.

### **4. Limitation of Identified Sources:**

The water sources listed in this By-Law represent only those bodies of water that are commonly known, easily identifiable, or regularly accessed by the public.

The Town acknowledges that numerous additional streams, gullies, temporary run-off areas, wetlands, drainage channels, and other natural water features may exist throughout the community. These water bodies may appear or change due to weather, seasonal conditions, or natural topography.

This By-Law is not intended to identify, classify, or regulate every water source within the Town of Victoria. Instead, it focuses solely on the primary sources that present the most apparent risk to public health based on current information.

Residents and visitors are responsible for exercising reasonable caution when interacting with any water source, whether listed in this By-Law or not, and should assume that untested or unregulated water may pose health risks.

## **5. Designation of a Dangerous Water Source(s):**

**5.1.** The body of water commonly known as “**Forest Pond**,” located at coordinates 47.771257, -53.195908 and shown in Annex A, is hereby designated as restricted for the following purposes:

5.1.1. **Recreational Use Restriction:** Forest Pond is designated as unsafe for recreational activities during the months of July and August each year due to the potential occurrence of harmful algae blooms.

5.1.2. **Fish Consumption Restriction:** Fish harvested from Forest Pond shall not be consumed.

5.1.3. **Drinking Water Restriction:** Water from Forest Pond shall not be used for drinking or human consumption under any circumstances.

**5.2.** The **Wastewater Treatment Facility**, located at 47.769458, -53.207106 and shown in Annex A, including the three (3) cell lagoon situated at the eastern end of Old Salmon Cove near Forest Pond, together with all associated buildings, tanks, equipment, access roads, and grounds, is hereby designated as a restricted area for safety, operational, and environmental protection purposes.

5.2.1. **Authorized Personnel Only:** Access to the Wastewater Treatment Facility is limited to authorized personnel only, including Town employees, contracted operators, inspectors, government officials, and individuals approved by the Town.

5.2.2. **Public Access Prohibited:** Members of the public are strictly prohibited from entering or accessing any portion of the Wastewater Treatment Facility or its associated infrastructure.

## **5.3. Rocky Pond (Municipal Water Supply)**

Rocky Pond, located at coordinates 47.788302, -53.241251 and shown in Annex A, is the primary drinking water source for the Town of Victoria. As a protected public water supply, Rocky Pond, as referenced to the protected watershed regulation 684/96 under the Water Resources Act re Victoria.

<https://www.assembly.nl.ca/Legislation/sr/regulations/rc960684.htm>

and the surrounding area are designated as restricted to safeguard water quality and ensure the continued safety of the Town’s municipal water system.

5.3.1. **Access Restriction:** Public access to Rocky Pond is limited to non-intrusive activities such as walking or hiking on existing paths. All other forms of access, including entering the water or disturbing the shoreline, are prohibited. Authorized personnel—Town staff, contracted operators, Newfoundland Power and other utilities, government officials, and individuals approved by the Town—may access the area for operational or regulatory purposes.

- 5.3.2. Recreational Use Prohibited: Recreational activities such as swimming, boating, fishing, camping, or off-road vehicle use are strictly prohibited within the designated water supply area.
- 5.3.3. Protection of Water Quality: No person shall disturb soil, vegetation, or infrastructure; introduce contaminants; or engage in any activity that could compromise the safety, cleanliness, or integrity of the municipal water supply.

**6. Assumption of Risk**

All individuals using water from any source listed above, do so at their own public health risk. The town shall not be held liable for any public health issue(s) or other consequences arising from the use of this water source.

**7. Links**

The Town is not responsible for any third-party links included in this By-Law.

**8. Effective Date**

This by-law shall come into force on ?????, ??, ?????, and shall be binding upon all persons and permit holders within the jurisdiction of the Town.

<b>Official By-Law Information</b>	
Date of Council Approval	
Resolution Number:	
Date of Advertisement	
<b>I certify that the By-Law was approved by Council and published as indicated above.</b>	
<b>Town Administrator/Mayor:</b>	
<b>Town Clerk:</b>	
<b>Date:</b>	

## Annex A:

### Forest Pond



### Rocky Pond

