

## DISTRICT OF LILLOOET

### BYLAW NO. 329

#### A bylaw to provide for regulations of governing water conservation

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WHEREAS pursuant to Section 8 of the *Community Charter* a Council may provide any service that the Council considers necessary or desirable; and

AND WHEREAS Council deems it necessary and expedient to set regulations for conservation of water;

NOW THEREFORE the Council of the District of Lillooet, in open meeting assembled, enacts as follows:

#### CITATION:

1. This Bylaw may be cited for all purposes as the District of Lillooet “**Water Conservation Bylaw 2009, No. 329**”.

#### DEFINITIONS:

2. For the purpose of this bylaw, unless the context otherwise requires:

**Address** means the civic house number assigned to a property by the District of Lillooet.

**Bylaw Enforcement Officer** means a person appointed by Council to enforce this bylaw.

**Council** means the Municipal Council of the District of Lillooet.

**District** means the District of Lillooet.

**Permit** means a permit issued by the CAO, Director of Public Works or Designate.

**Watering System** means a watering system which may include in ground automated or drip systems, hoses or sprinklers that supply domestic use water outdoors.

**Water Service Area** refers to all users of the District of Lillooet water utility systems.

#### APPLICATION

3. The restrictions and regulations outlined in this bylaw are applicable to everyone in the District of Lillooet Water Service Area.

#### PROHIBITION

4. No person shall use water for any purpose other than domestic use as outlined in this bylaw.

5. No person shall damage or allow the deterioration of any device or mechanism through which water is piped or used for a domestic or commercial purpose, which will result in misuse or waste of water.
6. No person, being an Owner or occupier of property in the Water Service Area, shall use water or cause water to be used contrary to the provisions of this bylaw in effect at the time of use.
7. No person shall waste water by using more water than is required to provide a service, produce a product, or complete a task, including but not limited to allowing a tap or hose to run water unnecessarily and over-watering plants or lawns.

#### **BYLAW ENFORCEMENT OFFICER**

8. The Bylaw Enforcement Officer is authorized and empowered to inspect, compel, and require that all the regulations and provisions prescribed in this bylaw be carried out.
9. The Bylaw Enforcement Officer has the authority to enter at all reasonable times on any property that is subject to this bylaw to ascertain whether the requirements of this bylaw are being met or the regulations in this bylaw are being observed.
10. For the purposes of this bylaw, the Bylaw Enforcement Officer means any of the following:
  - (1) Chief Administrative Officer (CAO) of the District of Lillooet
  - (2) Director of Public Works of the District of Lillooet
  - (3) Director of Finance of the District of Lillooet
  - (4) Director of Recreation of the District of Lillooet
  - (5) Deputy Clerk of the District of Lillooet
  - (6) Economic Development Officer of the District of Lillooet
  - (7) Bylaw Enforcement Officer of the District of Lillooet
  - (8) Public Works Foreman of the District of Lillooet
  - (9) Building Inspector of the District of Lillooet
  - (10) Fire Chief of the District of Lillooet
  - (11) RCMP Officer

#### **DECLARATION OF CONSERVATION STAGES**

11. The Council of the District of Lillooet may declare that the District has activated a water conservation stage.

12. If the Council makes a declaration under section 11, the water conservation stage described in the declaration comes into force in the District after the Council, the CAO or the Director of Public Works makes a public announcement of the declaration.
13. When a water conservation stage comes into force under this section, any prior conservation stage that had been in force, if any, ceases to be in force.
14. If no water conservation measures are in force on May 1<sup>st</sup> of any year, Stage 1 Water Conservation Measures automatically become effective on that date without prior declaration of the Council or announcement under section 12.
15. No Water Conservation Measures Stage remains in force after September 30<sup>th</sup> of any year, unless Council makes a declaration of such.
16. At any time before or after September 30<sup>th</sup> of any year, Council may declare that a Water Conservation Measures Stage will remain in force or come into force after September 30<sup>th</sup>.

## **WATER CONSERVATION MEASURES STAGES**

### **Stage 1 Water Conservation Measures**

17. During Stage 1 Water Conservation Measures, no person shall use a watering system to water a lawn, garden or landscaped area on a property except:
  - (1) At premises with even numbered civic addresses, on Mondays, Wednesdays and Saturdays between 4:00 a.m. and 7:00 a.m. and between 8:00 p.m. and 12:00 Midnight.
  - (2) At premises with odd numbered civic addresses, on Tuesdays, Thursdays and Sundays between 4:00 a.m. and 7:00 a.m. and between 8:00 p.m. and 12:00 Midnight.
18. During Stage 1 Water Conservation Measures, the following uses are permitted:
  - (1) Hand watering of flower gardens, vegetable gardens, decorative planters, shrubs or trees,
  - (2) Use of a hose to provide water to wash boats or motor vehicles, if the hose is equipped with an automatic shut-off device.
  - (3) Watering of Public sports playing fields and school yards.
  - (4) Prevention or control fires.
  - (5) For health or safety of any person.
  - (6) Water slide or sprinkler for the purpose of children’s play
  - (7) Uses authorized by a permit issued by the CAO, Director of Public Works or designate (Schedule “B”).

**Stage 2 Water Conservation Measures**

- 19.** During Stage 2 Water Conservation Measures, no person shall use a watering system to water a lawn, garden or landscaped area on a property except:
- (1) At premises with even numbered civic addresses, on Wednesdays and Saturdays between 4:00 a.m. and 7:00 a.m. and between 8:00 p.m. and 12:00 Midnight.
  - (2) At premises with odd numbered civic addresses, on Thursdays and Sundays between 4:00 a.m. and 7:00 a.m. and between 8:00 p.m. and 12:00 Midnight.
- 20.** During Stage 2 Water Conservation Measures, the following uses are permitted:
- (1) Hand watering of flower gardens, vegetable gardens, decorative planters, shrubs or trees,
  - (2) Prevention or control of fires.
  - (3) For health or safety of any person.
  - (4) Uses authorized by a permit issued by the CAO, Director of Public Works or designate (Schedule “B”).

**Stage 3 Water Conservation Measures:**

- 21.** During Stage 3 Water Conservation Measures, no person shall use a watering system to water a lawn, garden or landscaped area on a property.
- 22.** During Stage 3 Water Conservation Measures, the following uses are permitted:
- (1) Hand watering of flower gardens, vegetable gardens decorative planters, shrubs or trees.
  - (2) Prevention or control fires.
  - (3) For health or safety of any person.
  - (4) A use authorized by a permit issued by the CAO, Director of Public Works or designate.

**Stage 4 Water Conservation Measures:**

- 23.** During Stage 4 Water Conservation Measures, no person shall use a watering system to water a lawn, garden or landscaped area on a property.

24. During Stage 4 Water Conservation Measures, the following uses are permitted:
- (1) Prevent or control fires.
  - (2) For health or safety of any person.
  - (3) Uses authorized by a permit issued by the CAO, Director of Public Works or designate (Schedule “B”).

### **Special Permission to Water**

25. Anyone requiring the use of a watering system for a purpose not consistent with the declared stage of Water Conservation Measures must submit an application, substantially in the form attached hereto as Schedule B, for any such use of a watering system. Such application must be approved prior to commencing use of the watering system. A Permit Fee of \$10.00 is payable upon submission of an application.

### **MUNICIPAL TICKET INFORMATION PROVISIONS**

26. This Bylaw is designated pursuant to Section 264 of the *Community Charter*, as a bylaw that may be enforced by means of a ticket in the form prescribed.
27. Bylaw Enforcement Officers are designated to enforce this bylaw by means of a ticket pursuant to Section 264 of the *Community Charter*.
28. The words or expressions listed in Schedule “B” of this bylaw in the “Offence” column are authorized to be used on a ticket pursuant to section 264(1)(c) of the *Community Charter* to designate an offence against the respective section of this bylaw appearing opposite in the “Section” column. The amounts appearing in the “Fine” column are the fines set pursuant to section 265 of the *Community Charter* for contravention of the respective section of this Bylaw appearing opposite in the section column.
29. The Bylaw Enforcement Officer shall refer every disputed ticket to the Provincial Court for a hearing.

### **FINES AND PENALTIES:**

30. Every person who violates any of the provisions of his bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw is liable on summary conviction to a fine of not more than ten thousand dollars (\$10,000.00) and costs (including the costs of the committal and conveyance to the place of imprisonment) for each offence, and in default of payment therefore, to imprisonment of a term not exceeding six months in jail. Each day that such violation is permitted to continue shall be a separate offence.
31. If action is taken pursuant to this bylaw, expenses may be recovered, together with costs and interest, in the same manner as prescribed for municipal taxes.

**SEVERABILITY:**

- 32.** If action is taken pursuant to this bylaw, expenses may be recovered, together with costs and interest, in the same manner as prescribed for municipal taxes.

READ A FIRST TIME on the 23<sup>rd</sup> day of July, 2009.

READ A SECOND TIME on the 23<sup>rd</sup> day of July, 2009.

READ A THRID TIME on the 23<sup>rd</sup> day of July, 2009.

RECONSIDERED AND FINALLY ADOPTED on 27<sup>th</sup> day of July, 2009.

\_\_\_\_\_  
“D. Bontron”

Mayor

\_\_\_\_\_  
“G. Loyer”

Corporate Officer

**“Water Conservation Bylaw 2009, No. 329”**

**Schedule “A”**

<b>Offence</b>	<b>Section</b>	<b>Fine - First Offence</b>	<b>Fine – Second Offence</b>	<b>Fine – Third Offence</b>
Damage or deterioration of device resulting in waste of water	5	\$150.00	\$300.00	\$500.00
Waste of water by unnecessary use	7	\$150.00	\$300.00	\$500.00
Using a watering system outside permitted times.	15 17 19 21	\$150.00	\$300.00	\$500.00
Using a watering system outside permitted days.	15 17 19 21	\$150.00	\$300.00	\$500.00
Non compliance with issued permit requirements	16(7) 18(4) 20(4) 22(3)	\$150.00	\$300.00	\$500.00

**“Water Conservation Bylaw 2009, No. 329”  
Schedule “B”**

**Application and Permit for Water Use**

\_\_\_\_\_  
*Applicant’s Name*

\_\_\_\_\_  
*Owner’s Name (if different)*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Purpose of Request*

\_\_\_\_\_  
*Duration of requested water use*

I (We) hereby agree to be bound by the provisions of all applicable District of Lillooet bylaws; as well as to such additional conditions, restrictions, and regulations as may be imposed by the District. I (we) agree to save and hold harmless the District of Lillooet from all liabilities that may arise from this permit. The permit fee is \$10.00.

\_\_\_\_\_  
*Applicant’s Signature*

\_\_\_\_\_  
*Date of Application*

*For Official Use Only*

*Permitted uses and conditions:*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
*Approved by:*

\_\_\_\_\_  
*Date Application Approved*

\_\_\_\_\_