

THE CORPORATION OF THE VILLAGE OF WARFIELD

BYLAW #759

A BYLAW TO ESTABLISH WATER USE REGULATIONS

WHEREAS Section 8(2) of the Community Charter (SBC Chapter 26) authorizes the Village to provide any service that the Council considers necessary or desirable;

AND WHEREAS Section 8(3) of the Community Charter (SBC Chapter 26) authorizes the Council to regulate, prohibit and impose requirements in relation to a municipal service.

NOW THEREFORE the Council of the Village of Warfield in open meeting assembled ENACTS AS FOLLOWS;

SHORT TITLE

1. (1) This Bylaw may be cited as the **Water Sprinkling Regulations Bylaw No. 759, 2010.**

SPRINKLING REGULATIONS

2. (1) For the purposes of this bylaw, the sprinkling regulations are prescribed in Schedule "A" attached to and forming part of this bylaw.
- (2) Sprinkling regulations prescribed in Schedule "A" do not apply to:
 - (i) persons who use a micro-irrigation or drip-irrigation system, designed to use less than 20 gallons per hour, operate at less than 25 psi and deliver water to the root zone of the plant material being irrigate;
 - (ii) or to persons who use a hose equipped with a shut-off nozzle or a hand held container to water trees, shrubs, flowers or vegetables.
- (3) The Village may grant permission to a person who has installed a new lawn, either newly seeded or new sod, to water outside of the permitted days, but within the restricted hours.
- (4) The use of a hose to wash sidewalks, driveways, exteriors of buildings, or to water boulevards is prohibited between June 15th and September 15th, unless such water use is required prior to the application of a product such as paint, preservative, stucco or preparation of a surface prior to paving or if required by law to comply with health and safety regulations.

PROHIBITION AND INSPECTION

- 3. (1) No person, being an owner or occupier of property in the Village of Warfield, shall use water or cause water to be used contrary to the provisions of this bylaw.
- (2) A Bylaw Enforcement Officer, as appointed by Council, 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.
- 4. (1) Notwithstanding section 2 of this Bylaw, Council may, by resolution, apply such additional water use restrictions, in such form and for such duration as deemed necessary by Council, for the purpose of maintaining an adequate water supply.
- (2) The Mayor, a Councillor, the Administrator, the Public Works Foreman or a Village employee acting on behalf of the Administrator or the Public Works Foreman may impose immediate emergency water use restrictions in any form deemed necessary in a situation where the quality or the volume of the Village’s water supply is jeopardized to a degree deemed hazardous to life or property.
- 5. (1) The Village shall notify water users of water use restrictions imposed pursuant to this Bylaw by means of advertising in either a local newspaper, local radio station, by bulk mailing notices or by any other means appropriate in consideration of the circumstances of the required water use restriction.

PENALTIES

- 6. (1) Any person who violates any provision of this bylaw is guilty of an offense and shall be liable to a fine of not less than fifty dollars (\$50.00).
- (2) In addition to any other penalty, the Village may disconnect any service connection which is contributing to a violation of any provisions of this Bylaw.

ENACTMENT

- 7. (1) If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.
- (2) This Bylaw shall come into full force and effect on the final adoption thereof.
- (3) Water Sprinkling Regulations Bylaw No. 726, 2008, is hereby repealed.

READ A FIRST TIME
 READ A SECOND TIME
 READ A THIRD TIME
 RECONSIDERED AND FINALLY ADOPTED

this 1st day of September, 2010
 this 1st day of September, 2010
 this 1st day of September, 2010
 this 15th day of September, 2010

Mayor

Corporate Administrator

THE CORPORATION OF THE VILLAGE OF WARFIELD

BYLAW #759

SCHEDULE "A"

Alternate Day Restrictions - June 15th to September 15th

Restrictions:

- (a) Properties with even numbered addresses shall be permitted to use lawn or garden sprinklers or other lawn or garden watering devices, only between the hours of 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. on even numbered calendar days and shall be prohibited at any other time.
- (b) Properties with even numbered addresses shall be permitted to use underground automatically timed sprinklers once per day between the hours 6:00 a.m. and 10:00 a.m., or between the hours of 6:00 p.m. and 10:00 p.m., or between the hours of 12:00 midnight to 4:00 a.m. on even numbered calendar days.
- (c) Properties with odd numbered addresses shall be permitted to use lawn or garden sprinklers or other lawn or garden watering devices, only between the hours of 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. on odd numbered calendar days and shall be prohibited at any other time.
- (d) Properties with odd numbered addresses shall be permitted to use underground automatically timed sprinklers once per day between the hours 6:00 a.m. and 10:00 a.m., or between the hours of 6:00 p.m. and 10:00 p.m., or between the hours of 12:00 midnight to 4:00 a.m. on odd numbered calendar days.
- (e) Properties zoned **Institutional and Community Facilities** shall be permitted to use underground automatically timed sprinklers only between the hours of 12:00 midnight to 4:00 a.m. on even numbered calendar days and shall be prohibited at any other time.
- (f) Properties zoned **Parks and Recreation** shall be permitted to use underground automatically timed sprinklers only between the hours of 12:00 midnight to 4:00 a.m. on odd numbered calendar days and shall be prohibited at any other time.