

DISTRICT OF SQUAMISH**BYLAW NO. 2254****As Amended by Bylaw No. 2325**

THIS IS A CONSOLIDATED BYLAW PREPARED BY THE DISTRICT OF SQUAMISH FOR CONVENIENCE ONLY. THE CORPORATION DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

Being a Bylaw to provide for regulations governing water conservation within the District of Squamish.

WHEREAS Section 8 of Part 2 of the Community Charter a Council may, by Bylaw, establish and regulate a service to all or part of the District;

AND WHEREAS Section 315.1 of the Local Government Act, Chapter 323 of the Revised Statutes of British Columbia, 1996, as amended, empowers the Council to establish terms upon which irrigation services may be supplied or used;

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

1. This bylaw may be cited as "District of Squamish Outdoor Water Use Bylaw No. 2254, 2013".
2. **DEFINITIONS**

In this Bylaw: (As amended by Bylaw No. 2325, 2014)

"Appliance" means a device or mechanism, other than that owned and operated by the District of Squamish, in or through which water is piped or used for a domestic or commercial purpose.

"Automatic Shut-Off Device" means a device attached to a water hose that is spring loaded and shuts off the supply of District Water automatically unless hand pressure is applied to allow the supply of District Water.

"Boat" means a vessel propelled on water by an engine, oars or sails.

"Boulevard" means that portion of any highway other than the paved, improved or main travelled roadway, driveway or sidewalk and includes any landscaped median.

"Bylaw Enforcement Officer" means a person appointed by the District to enforce bylaws on behalf of the District.

"District" means District of Squamish.

"District Water" means water supplied by the District, directly or indirectly, to a lot whether or not mixed with rain water, gray water or recycled water, but does not include water gathered directly from rain by an owner or occupier by way of a cistern, barrel or other container on the lot.

"Established Plantings" means trees, shrubs, flowers and vegetables that have been planted for longer than thirty (30) days.

"Exempted Person" means an Owner or Occupier of property identified in Schedule "A" as exempt from one or more of the regulations under this bylaw.

(Deleted as amended by Bylaw No. 2325, 2014)

"Fill" means to fill completely with Water.

“General Manager” means the General Manager with responsibility for Engineering, Operations and Public Works.

“In-Ground Irrigation System” means an irrigation system where pipes are buried underground and sprinkler heads are spaced at chosen intervals to deliver District Water and timers are used to turn District Water on and off automatically.

“Lawn” means ground, as around a house or in a garden or park, that is covered with grass.

“Micro-irrigation or Drip-irrigation System” means a system using irrigation components which consume less than 75.71 litres per hour and operate at less than 25 psi to deliver Water to the root zone of the plant material being irrigated, and includes spray emitter systems (Micro-Sprays), point source emitters and linear tape systems as defined in the BC Trickle Manual prepared and published by the BC Ministry of Agriculture and Food, Resource Management Branch (issue 1999), but does not include weeper or soaker hoses.

“Municipality” means the District of Squamish as defined in the Community Charter.

“Newly Planted” means trees, shrubs, flowers and vegetables that have been planted for less than thirty (30) days.

“Notice” means a Notice given in accordance with Sections 4 or 5 of this Bylaw.

“Nursery” means a business in which flowers, plants, trees or shrubs are grown, sold, or acquired for sale.

“Over-Watering” means to water in a manner that saturates the Lawn, Boulevard or landscaped area being watered and results in District Water spreading onto areas beyond them.

“Permit” means a Permit issued under Section 7 of this Bylaw.

“Public Authority” has the same meaning as defined in the Community Charter.

“Restricted Hours” means those time periods during which watering is permitted in Schedule “A” of this bylaw.

“Sprinkler” means a device with perforations through which District Water issues from a hose for the purposes of watering but excludes soaker hoses, Micro-irrigation or Drip-irrigation Systems.

“Stage” means the Stages 1, 2 and 3 of Water Use Restrictions prescribed in Schedule “A” of this bylaw.

“Vehicle” means a device as defined in the Motor Vehicle Act.

“Waste” means using more water than is required to provide a service, produce a product or to complete a task.

“Water” means Water supplied by the District of Squamish directly or indirectly to an Owner or Occupier or the act of using or applying such Water.

“Water Use Restrictions” means the restrictions prescribed in Schedule “A” of this bylaw.

“Watering Days” means those days during which Watering is permitted in Schedule “A” of this bylaw.

3. **CONSERVATION OF DISTRICT WATER**

(As Amended by Bylaw No. 2325, 2014)

- (1) A person must not:
 - (a) use District Water outdoors, or cause, allow or suffer District Water to be used, except in accordance with this Bylaw;
 - (b) cause, suffer or allow, or fail to promptly repair, any damage to an Appliance that results in a Waste of District Water.
 - (c) continue to use an Appliance that, as a result of damage or deterioration, causes District Water to be wasted, or fail to promptly repair or replace any Appliance that has deteriorated to that extent.
 - (d) Waste District Water by allowing a tap or hose to run District Water unnecessarily:
 - i. in relation to completing a task, providing a service or producing a thing; or
 - ii. by Over-Watering a targeted Lawn, Boulevard or landscaped area.

4. **WATER CONSERVATION STAGES** (As Amended by Bylaw No. 2325, 2014)

- (1) The District Water use restrictions of Stage 1 are in effect from May 1st through to October 31st of each year unless a Notice is published on behalf of the District that:

- (a) the effective time period of Stage 1 is to be amended; or
- (b) Stage 1 is suspended and replaced by Stage 2, 3, or 4;

in which event, the amended time period of Stage 1, or the Stage that replaces it, as applicable, will be in effect for the period stated in the Notice, or until further Notice is published.

- (2) If at any time of the year, the General Manager considers that factors set out in Section 6 could impact the source of District Water supply such that for the purposes of conservation, additional restrictions on the use of District Water are advisable, the General Manager may, in accordance with Section 4:
 - (a) amend the effective time period for Stage1 to a certain period or until further Notice; or
 - (b) suspend or terminate the current Stage and replace it with a more restrictive Stage.
- (3) When a more restrictive Stage than Stage 1 is in effect and the General Manager considers that the current restrictions are no longer necessary for the purpose of conserving the District's Water supply, the General Manager may terminate that more restrictive Stage and replace it with a less restrictive Stage.
- (4) A Stage will remain in effect until the date set out in a Notice for an alternative Stage, or if that date is not stated, until the day following the earlier of:
 - (a) posting of a Notice in the District Hall;
 - (b) the publication of the Notice on the District's website; or
 - (c) the date of its publication in a newspaper that is delivered regularly within the District.

5. **COMPLIANCE** (As Amended by Bylaw No. 2325, 2014)

Every person must comply with the restrictions of the Stage that is in effect under Schedule "A" or as specifically set out in a Permit issued by the Director of

Operations.

6. DETERMINATION FACTORS (As Amended by Bylaw No. 2325, 2014)

In making a decision under Section 4 (2) or (3), or in considering an application for a Permit, the General Manager or the Director of Operations, as applicable, may take into account relevant precipitation and weather patterns, geological or other natural conditions, the maximum daily flow of water from the District Water supply and distribution system projections of usage, and any other factors that reasonably could impact the available supply of District Water over a particular time period.

7. PERMITS, EXEMPTIONS AND SPECIAL CASES
(As Amended by Bylaw No. 2325, 2014)

- (1) A person who applies for a Permit under this Bylaw must submit an application to the Director of Operations, in a form that is approved by the General Manager.
- (2) On receiving an application for a Permit pursuant to Schedule "A" and "B", together with payment in full of any applicable fee, the Director of Operations may issue a Permit in accordance with those Schedules.
- (3) The Director of Operations may, by written Notice to the holder of a Permit, suspend, revoke or cancel a Permit if the Director considers that the Permit is not being fully complied with.
- (4) A person must comply with any and all conditions, limits, restrictions and requirements of a Permit and any notices issued in relation to a Permit; and

8. SCHEDULES

Schedules "A", "B" and "C" of this bylaw form part of and are enforceable in the same manner as this bylaw.

9. ENFORCEMENT

- (1) This Bylaw may be enforced by the General Manager or a person acting in the place of the General Manager or a bylaw enforcement officer.
- (2) The General Manager or a person acting in the place of the General Manager or a bylaw enforcement officer may enter on or into property for the purpose of inspecting to determine whether the regulations, restrictions and requirements of this Bylaw are being met.
- (3) This bylaw may be enforced:
 - a) By means of a ticket issued under the District's *Municipal Ticket Information Bylaw No. 1832, 2004*;
 - b) By prosecution under the *Offence Act*;
 - c) By way of a bylaw notice under the *Bylaw Notice Enforcement Act* and bylaw of the District made under that Act; or
 - d) By way of civil action as authorized by statute.

10. CONTRAVENTION AND PENALTIES

- (1) A person who:
 - a) Contravenes, violates or fails to comply with any provision of this Bylaw;

- b) Suffers or allows any act or thing to be done in contravention of this Bylaw; or
- c) Fails or neglects to do anything required to be done under this Bylaw or of any permit or order issued under this Bylaw, commits an offence and upon conviction, shall be liable to paying a fine of up to Ten Thousand Dollars (\$10,000) and to pay any further amounts that may be ordered under the Offence Act, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

READ A FIRST, SECOND AND THIRD time this 18th day of June, 2013.

ADOPTED, this 2nd day of July, 2013.

Rob Kirkham
Mayor

Robin Arthurs
General Manager of Corporate Services

SCHEDULE “A”**OUTDOOR WATER USE RESTRICTIONS**

(As Amended by Bylaw No. 2325)

PART 1. STAGE ONE – TWO DAYS PER WEEK

1. Stage One outdoor watering times are restricted to the following times and days:
 - (a) for all properties, between 4:00 a.m. to 10:00 a.m., and 7:00 p.m. to 10:00 p.m.;
 - (b) for property having an even-numbered civic address, to Wednesday and Saturday; and;
 - (c) for property having an odd-numbered civic address, on Thursday and Sunday.
2. During Stage One, a person may use District Water for outdoor watering:
 - (a) by way of a Sprinkler, only in accordance with the outdoor watering times of Section 1:
 - (i) to water a Lawn;
 - (ii) to water trees, shrubs, and flowers that are Established Plantings;
 - (b) by way of a Micro-irrigation or Drip-irrigation System, at any time and on any day, but only to water trees, shrubs, vegetables and flowers (whether Newly Planted or as Established Plantings);
 - (c) on any day that any trees, shrubs, flowers or vegetables are initially planted, at any time, by any method, during the 24 hour period following their being planted in the ground, to support their establishment;
 - (d) by way of an In-Ground Irrigation System, between the hours of 10:00 p.m. and 4:00 a.m.:
 - (i) on the days established in Section 1, only to water a Lawn or to water any trees, shrubs, flowers and vegetables; or
 - (ii) for lands under the ownership or control of a public authority within the meaning of the *Community Charter*, between the hours of 10:00 p.m. and 4:00 a.m. on any day, but not more than 2 days per week, only to water Lawns, Boulevards and landscaped areas;
 - (e) on any day between the hours of 10:00 p.m. and 4:00 a.m.:
 - (i) to water a turf playing field by any method;
 - (ii) to water golf greens and tee areas on a golf course; if dry weather conditions are otherwise likely to result in a permanent loss of grass or other planted material; and
 - (iii) to water fairways on a golf course;
 - (f) in accordance with a Permit, to water newly installed sod or seeded Lawn at the time of installation or seeding, only during the hours of Section 1 and for a time period following installation that is specified in the Permit, and subject to any method or volume restrictions specified in the Permit;
 - (g) in all other circumstances, but subject to exceptions and conditions provided in Section 3, strictly in accordance with the Outdoor Watering Times established in Section 1.

3. The following uses and activities are excepted from the restrictions and conditions of Sections 1 and 2:
 - (a) farm operations , within the meaning of the Farm Practices Protection (Right to Farm) Act in agricultural land reserve and areas where farm uses are permitted;
 - (b) watering planted vegetables:
 - (i) by way of a Sprinkler, on any day, regardless of address, between 6:00 and 9:00 a.m. and between 7:00 and 10:00 p.m.; and
 - (ii) by way of a hose with an Automatic Shut-Off Device or hand held container, on any day during any times.
 - (c) washing a Vehicle or Boat if using a hand held container or hose equipped with an Automatic Shut-Off Device;
 - (d) commercial premises where sod and plants are acquired, stored or sold under a District business licence, for the purpose of maintaining the plants in good condition;
 - (e) commercial vehicle dealerships, car wash, vessel cleaning or power wash facilities that operate under a District business licence; and
 - (f) other commercial facilities or services where the operator holds a valid business license from the District for which the outdoor use of District Water is an necessary and integral part of the business operation.

PART 2 STAGE TWO – ONE DAY PER WEEK

1. Stage Two outdoor watering times are restricted to the following times and days:
 With reference to the Water Conservation Regional Map (Table 1),
 - (a) for properties having an even-numbered civic address:
 - Area 1 – Monday
 - Area 2 – Tuesday
 - Area 3 – Wednesday
 - Area 4 – Thursday
 - Area 5 – Friday
 - Area 6 – Saturday
 - Area 7 – Sunday,

from 6:00 a.m. to 9:00 a.m. only; and
 - (b) for properties having an odd-numbered civic address:
 - Area 1 – Monday
 - Area 2 – Tuesday
 - Area 3 – Wednesday
 - Area 4 – Thursday
 - Area 5 – Friday
 - Area 6 – Saturday
 - Area 7 – Sunday,

from 7:00 p.m. to 10:00 p.m. only.
2. During Stage Two, a person must not use District Water to wash a sidewalk, driveway , parking lot, exterior window or exterior building surfaces, except:
 - (a) as necessary for applying paint, preservative, stucco or similar product;
 - (b) preparing a surface prior to paving or repointing bricks; or
 - (c) to comply with an enactment for health and safety or as otherwise required by law.

3. During Stage Two, a person may use District Water for outdoor watering:
- (a) to water trees, shrubs, and flowers that are Established Plantings
 - (i) by a Sprinkler , only in accordance with the outdoor watering times of Section 1; or
 - (ii) if only using a hand-held container or a hose equipped with an Automatic Shut-Off Device, on any day from 6:00 a.m. to 9:00 a.m. and 7:00 p.m. and 10:00 p.m.;
 - (b) on any day that any trees, shrubs, flowers or vegetables are initially planted, at any time during the 24 hour period following their being planted in the ground, to support their establishment;
 - (c) by way of a Micro-irrigation or Drip-irrigation System, at any time and on any day, but only to water trees, shrubs, flowers and vegetables (whether Newly Planted or as Established Plantings);
 - (d) by way of an In-Ground Irrigation System, between the hours of 10:00 p.m. and 4:00 a.m.:
 - (i) on the days established in Section 1, but only to water a Lawn or to water any trees, shrubs, flowers and vegetables; or
 - (ii) for lands under the ownership or control of a public authority within the meaning of the *Community Charter*, between the hours of 10:00 p.m. and 4:00 a.m. on any day, but not more than 1 day per week, only to water Lawns, Boulevards, and landscaped areas; and
 - (e) on any day between the hours of 10:00 p.m. and 4:00 a.m.:
 - (i) to water a turf playing field by any method, if failure to do so will result in a permanent loss of plant material
 - (ii) to water golf greens and tee areas on a golf course, if dry weather conditions are otherwise likely to result in a permanent loss of grass or other planted material;
 - (iii) to water fairways on a golf course;
 - (f) for planted vegetables,
 - (i) by way of a Sprinkler, on any day, regardless of address, between 6:00 and 9:00 a.m. and between 7:00 and 10:00 p.m.; and
 - (ii) by way of a hose with an Automatic Shut-Off Device or hand held container, on any day during any times;
 - (g) to wash a Vehicle or Boat if using a hand held container or hose equipped with an Automatic Shut-Off Device; and
 - (h) in all other circumstances, strictly in accordance with the outdoor watering times established in Section 1.

PART 3. STAGE THREE-NO LAWN WATERING

1. During Stage 3, a person must not use District Water:
- (a) to water a Lawn or Boulevard;
 - (b) to fill a swimming pool, hot tub or garden pond;
 - (c) to fill or operate a decorative fountain at any time; or
 - (d) to wash a Vehicle or Boat, except with a hose equipped with an Automatic Shut-Off Device and then only to maintain visibility of windows and licence plates or otherwise as necessary for safe operation of the Vehicle or Boat.

2. During Stage 3, a person may use District Water:
 - (a) by way of a hose equipped with an Automatic Shut-Off Device or by a hand-held container, on any day from 6:00 to 9:00 a.m. or from 7:00 to 10:00 p.m.
 - (i) to water vegetables;
 - (ii) to water Established Plantings of trees, shrubs, and flowers
 - (iii) on any day that any trees, shrubs, flowers or vegetables are initially planted, at any time during the 24 hour period following their being planted in the ground, to support their establishment
 - (iv) by way of a Micro-irrigation or Drip-irrigation System, on any day from 6:00 to 9:00 a.m. or from 7:00 to 10:00 p.m. but only to water trees, shrubs, flowers and vegetables (whether Newly Planted or as Established Plantings);
 - (b) by way of an In-Ground Irrigation System, between the hours of 10:00 p.m. and 4:00 a.m.:
 - (i) on the days established in Part 2, Section 1, but only to water any trees, shrubs, flowers and vegetables; or
 - (ii) for lands under the ownership or control of a public authority within the meaning of the *Community Charter*, between the hours of 10:00 p.m. and 4:00 a.m. on any day, but not more than 1 day per week, only to water Lawns, Boulevards, and landscaped areas if failure to do so will result in a permanent loss of plant material; and
 - (c) on any day between the hours of 10:00 p.m. and 4:00 a.m. :
 - (i) to water a turf playing field by any method, if failure to do so will result in a permanent loss of plant material
 - (ii) to water golf greens and tee areas on a golf course, if dry weather conditions are otherwise likely to result in a permanent loss of grass or other planted material; and
 - (iii) to water fairways on a golf course on not more than one day per week;
3. The following uses and activities are excepted from the restrictions and conditions of Sections 1 & 2:
 - (a) farm operations , within the meaning of the Farm Practices Protection (Right to Farm) Act in agricultural land reserve and areas where farm uses are permitted;
 - (b) watering planted vegetables:
 - (i) by way of a Sprinkler, twice a week, between 6:00 and 9:00 a.m. and between 7:00 and 10:00 p.m. in accordance with Stage 1 address system; and
 - (ii) by way of a hose with an Automatic Shut-Off Device or hand held container, on any day during any times.
 - (c) commercial premises where sod and plants are acquired, stored or sold under a District business licence, for the purpose of maintaining the plants in good condition;
 - (d) commercial vehicle dealerships, car wash, vessel cleaning or power wash facilities that operate under a District business licence; and
 - (e) other commercial facilities or services where the operator holds a valid business license from the District for which the outdoor use of District Water is an necessary and integral part of the business operation.
 - (f) District owned Class “A” parks as set out in Schedule C

PART 4. STAGE FOUR – NO WATER USE

1. During Stage 4, a person must not use District Water to:
 - (a) water a Lawn, Boulevard or landscaped area;
 - (b) water Newly Planted or Established Plantings of trees, shrubs, flowers or vegetables;
 - (c) to irrigate golf courses, turf playing fields, Nurseries, turf farms, sod farms, tree farms, lawn and garden facilities, and Farms;
 - (d) fill a swimming pool, hot tub or garden pond;
 - (e) operate or use a commercial car wash;
 - (f) wash a Vehicle or Boat ;
 - (g) wash sidewalks, driveways, walls, roofs or other outdoor surfaces.

2. FIRE CHIEF NOTICE

In any area within the District where the fire hazard rating has been set at “extreme” for a minimum of three (3) consecutive days, the Fire Chief, in consultation with the General Manager, may issue a Notice to the public identifying some or all of those areas within the District as areas where the lawn sprinkling and garden watering regulations otherwise imposed under this Bylaw will be suspended for the period specified in the Notice, thereby allowing Owners and Occupiers to take measures to reduce any fire hazard to their properties by watering as prescribed in the Notice.

SCHEDULE "B"
(As Amended by Bylaw No. 2325)

Bylaw No 2254

PERMITS

1. No new Lawn Permits will be issued in the months of July or August.
2. Permits will not be issued or be valid during Stage 2 or Stage 3.
3. During Stage 1, a person who has installed a new Lawn, either newly seeded or new sod, may apply to the District Operations Department for a Permit, which will allow the new Lawn to be watered outside of the Stage 1 permitted hours but within a prescribed period of hours per day.
4. The District of Squamish shall issue a Permit to an applicant pursuant to Section 7 upon payment to the District of a fee established in the District of Squamish Fees and Charges Bylaw.
5. The Permit shall be conspicuously displayed at the premises for which it was issued.

SCHEDULE “C”

CLASS OF PARKS

Outdoor Water Use Bylaw

“A” Parks

- Squamish Junction Park
- Stan Clarke Park
- Brennan Park/Hendrickson Fields (well system)
- Rose park
- Eagle Wind Lawn Bowling

Gardens

- Brennan Park (pool and frontage)
- Lilly’s Garden
- Library Garden
- Municipal Hall Garden
- Squamish Entrance Garden

Boulevards

- Cleveland Traffic Island
- Highlands Triangle
- Tantalus Road
- Commercial Round-about
- Alex Monroe Fire Hall

School Fields

- Howe Sound Secondary
- Don Ross Secondary

