

THE CORPORATION OF THE TOWNSHIP OF LANGLEY
WATER SHORTAGE RESPONSE BYLAW 2012 NO. 4909

CONSOLIDATED FOR CONVENIENCE ONLY

EXPLANATORY NOTE

A bylaw to regulate the use of water within the Township.

Amending Bylaw 5003 – May 13, 2013

Bylaw 2013 No. 5003 updates the Water Shortage Response Bylaw 2012 No. 4909 to allow for bylaw contraventions to be dealt with by bylaw notice as per the Bylaw Notice Enforcement Bylaw 2008 No. 4703.

Amending Bylaw 5184 – March 7, 2016

Bylaw 2016 No. 5184 updates the Water Shortage Response Bylaw 2012 No. 4909 to: allow for announcements on website and social media; revise restriction dates and times to comply with MetroVancouver regulations; clarify uses in various restriction stages; and, define how a permit must be displayed.

THIS IS A CONSOLIDATED BYLAW PREPARED BY THE CORPORATION OF THE TOWNSHIP OF LANGLEY FOR CONVENIENCE ONLY. THE TOWNSHIP 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.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY
WATER SHORTAGE RESPONSE BYLAW 2012 NO. 4909

WHEREAS section 8 the *Community Charter*, S.B.C. 2003, c.26 authorizes Council to regulate a municipal service and water is a municipal service provided by the Township;

AND WHEREAS it is deemed desirable to join the Greater Vancouver Water District's efforts to address water usage both in the Township as a whole as well as in distinct areas where reduced water supply causes greater concern;

NOW THEREFORE the Council of the Township of Langley in open meeting assembled, hereby enacts as follows:

PART I

1. This Bylaw may be cited as the "Water Shortage Response Bylaw 2012 No. 4909".

Definitions and Interpretation

2. In this Bylaw:

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

"Commissioner" means the Commissioner of the Greater Vancouver Water District.

"General Manager of Engineering" means a person currently in the position of General Manager of Engineering for the Township of Langley, Director of Engineering for the Township of Langley, or their designate for the purposes of this Bylaw.

"Drip irrigation" means a system using irrigation components which consume less than 20 gallons (91 litres) per hour and operate at less than 25 PSI (172 kPa) to deliver Water to the root zone of the plant material being irrigated.

"Lawns" includes, but is not limited to, grass growing at cemeteries and grassed boulevards.

"Non-Residential" means the occupancy or use of a building, or part thereof, which is not used as a Dwelling Unit as defined in the Township of Langley Zoning Bylaw 1987 No. 2500. Cases of mixed use are considered Non-Residential as long as the landscaping is watered by an in-ground sprinkling system.

"Permit" means a permit issued under Part III of this Bylaw and in the form and substance of Schedule "B" attached hereto.

“Person” does not include a municipality, a regional district, the provincial government, or any body appointed or created under an enactment of Canada or British Columbia.

“Public Announcement” means one or more advertisements or public service announcements in any one of:

- (1) a television or radio broadcast from a station that broadcasts to the Township of Langley; or
- (2) a newspaper or other publication intended for general circulation, including one that is distributed without charge to the reader, that contains news and advertising, and is distributed within the Township of Langley at least once per week; or
- (3) website and social media postings.

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“Residential” means the occupancy or use of a building, or part thereof, as a Dwelling Unit as defined in the Township of Langley Zoning Bylaw 1987 No. 2500. Cases of mixed use are considered Residential if landscaping is not watered by an in-ground sprinkling system.

“Restriction Stage” means Stage 1 Restrictions, Stage 2 Restrictions, Stage 3 Restrictions, or Stage 4 Restrictions.

“Stage 1 Restrictions” means the restrictions on Water use described in sections 1 and 2 of Schedule “A”.

“Stage 2 Restrictions” means the restrictions on Water use described in sections 3 and 4 of Schedule “A”.

“Stage 3 Restrictions” means the restrictions on Water use described in sections 5 and 6 of Schedule “A”.

“Stage 4 Restrictions” means the restrictions on Water use described in sections 7 and 8 of Schedule “A”.

“Water” used as a noun means water supplied directly or indirectly by Greater Vancouver Water District or the Township of Langley, whether or not mixed with rain water, gray water or recycled water.

“Water” used as a verb, and “Watering”, mean the application or distribution of Water (used as a noun) to lands or plants but does not include the method known as “drip irrigation”.

“Water Play Park” means a recreational facility that is primarily out of doors, where water is designated for play.

“Water Restriction Announcement” means a Stage 1 Announcement, Stage 2 Announcement, a Stage 3 Announcement or a Stage 4 Announcement.

3. The schedules to this Bylaw are integral parts of this Bylaw.
4. The General Manager of Engineering may delegate some or all of his or her powers and duties under this Bylaw.

PART II

Declaration and Announcement of Restriction Stages

5. The Commissioner may, by letter to the Township Clerk or the General Manager of Engineering, declare that the Greater Vancouver Water District has activated a Restriction Stage.
6. If a Restriction Stage is declared to be activated, the Restriction Stage described in the declaration comes into force in the Township after a Public Announcement of the declaration by the Commissioner, the Township Clerk, or the General Manager of Engineering.
7. When a Restriction Stage comes into force under sections 5 and 6, a Restriction Stage that had been in force, if any, ceases to be in force.
8. If no Restriction Stage is in force on May 15th of any year, Stage 1 Restrictions come into force on that date without prior declaration or announcement under section 6.
9. If Stage 1 Restrictions are declared to be activated, a Public Announcement by the Commissioner, Township Clerk or the General Manager of Engineering is sufficient for the purposes of section 6 if it contains substantially the information set out in Schedule "C".
10. If Stage 2 Restrictions are declared to be activated, a Public Announcement by the Commissioner, Township Clerk or the General Manager of Engineering is sufficient for the purposes of section 6 if it contains substantially the information set out in Schedule "D".
11. If Stage 3 Restrictions are declared to be activated, a Public Announcement by the Commissioner, Township Clerk or the General Manager of Engineering is sufficient for the purposes of section 6 if it contains substantially the information set out in Schedule "E".
12. If Stage 4 Restrictions are declared to be activated, a Public Announcement by the Commissioner, Township Clerk or the General Manager of Engineering is sufficient for the purposes of section 6 if it contains substantially the information set out in Schedule "F".
13. No Restriction Stage remains in force after October 15th of any year, unless a declaration is made under this Part by the Commissioner or the General Manager of Engineering.
14. At any time before or after October 15th of any year a Restriction Stage may remain in force or come into force, either by declaration of the General Manager of Engineering or by letter from the Commissioner to the Township Clerk or General Manager of Engineering.

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15. Sections 9, 10, 11 and 12 apply to a declaration made under section 14, with such changes as are necessary, except that a Public Announcement of a declaration under this section shall state that the Restriction Stage that is continued in force or that comes into force after October 15th will remain in force until further declaration by either the Commissioner or the General Manager of Engineering.

Township Declaration and Announcement

16. Notwithstanding a declaration by the Commissioner activating a Restriction Stage, the General Manager of Engineering may also declare a Restriction Stage higher than that declared by the Commissioner. A declaration by the General Manager of Engineering may be Township-wide, or may affect only a specific area that is experiencing a water supply issue.
17. The Commissioner and the General Manager of Engineering may make one or more declarations under this Part.

PART III - Permit

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18. A Person who has installed a new Lawn, either by placing sod or turf or by seeding, or who has installed new landscaping on a substantial part of the outdoor portion of a premises may apply to the General Manager of Engineering for a Permit authorizing the Person to Water the new Lawn and new landscaping when Stage 1 Restrictions or Stage 2 Restrictions are in force, at times specified in the Permit, at the premises described in the Permit, during the currency of the Permit. A Permit does not exempt the holder from Stage 3 Restrictions or Stage 4 Restrictions. Should a premise hold a valid permit prior to Stage 3 Restriction Stage the permit will remain valid until expiry date indicated.

19. The General Manager of Engineering, upon being satisfied that an applicant qualifies under section 18, shall issue a Permit in the form set out in Schedule "B" to the applicant upon payment of a fee in the amount of Thirty (\$30.00) Dollars for Residential properties and One Hundred and Fifty (\$150.00) Dollars for Non-Residential properties, which includes commercial, mixed use, and multi-family residential properties.

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20. A Permit issued under section 19 shall be affixed to a post facing the street serving the premises, beside the principal driveway from the street to the premises. A Permit alternatively shall be affixed in a ground level window visible from the street front.
21. A Permit issued under section 19 shall expire and be of no force or effect twenty-one (21) days after the date of its issue, unless the Person has been issued an extension.

Permit Extension

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23. A Person may apply for one (1) extension of the Permit on the same terms and conditions imposed under the original Permit, including paying the same fee amount again for the extension. A Permit extension shall end on or before forty-two (42) days from the date of the issue of the original Permit under section 19.

A Permit may not be extended when Stage 3 Restrictions or Stage 4 Restrictions are in place.

PART IV - Offences and Penalties

24. Every Person who violates or contravenes any of the provisions of this Bylaw, or suffers or allows to be done any act or thing that violates or contravenes this Bylaw, commits an offence.
25. A prosecution under this bylaw may be commenced by:
- (1) proceedings under Division 3 of Part 8, of the *Community Charter*, S.B.C. 2003, c.26; or Bylaw Notice Enforcement Bylaw 2008 No. 4703; or;
- (2) prosecution of the offence in accordance with the *Offence Act*, R.S.B.C. 1996, c.338.
26. Where a prosecution is commenced against a commercial entity pursuant to section 25(2) for an offence committed while Stage 4 Restrictions are in effect, upon conviction that Person shall be liable to pay a fine of not less than \$5,000.
27. If an offence under this Bylaw continues for more than one day, separate fines each not exceeding the maximum fine for that offence may be imposed for each day or part thereof in respect of which the offence occurs or continues.
28. In a prosecution under this Bylaw the onus of establishing an exemption under sections 2, 4 and 6 of Schedule "A" lies with the Person claiming the exemption.

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PART V - General Provisions

29. This Bylaw comes into force and takes effect on the date of its passing.
30. In this Bylaw words importing the singular number include the plural number and vice versa.

Severability

31. If any of this Bylaw (or any part of a section, subsection or clause) is found by any court or other authority of competent jurisdiction to be invalid, illegal or unenforceable, that section, subsection or clause shall, to the extent required, be deemed not to form part of this Bylaw, and the validity and enforceability of the other sections, subsections or clauses of this Bylaw shall not be affected.

Repeal

32. Langley Water Shortage Response Bylaw 2005 No. 4350 is hereby repealed in its entirety.

READ A FIRST TIME the	23	day of	April	, 2012.
READ A SECOND TIME the	23	day of	April	, 2012.
READ A THIRD TIME the	23	day of	April	, 2012.
RECONSIDERED AND ADOPTED the	07	day of	May	, 2012.

"JACK FROESE" Mayor

"SUSAN PALMER" Deputy Township Clerk

SCHEDULE "A"

STAGE 1 RESTRICTIONS

1. Subject to section 2 of this Schedule, when Stage 1 Restrictions are in force, no Person shall:

(1) Water Lawns, except:

- (a) for Residential premises with even numbered civic addresses, on Mondays, Wednesdays and Saturdays between the hours of 4:00am and 9:00am and
- (b) for Residential premises with odd numbered civic addresses, on Tuesdays, Thursdays and Sundays between the hours of 4:00am and 9:00am; and
- (c) for Non-Residential premises with even numbered civic addresses, on Mondays and Wednesdays between the hours of 1:00am and 6:00am; and
- (d) for Non-Residential premises with odd numbered civic addresses, on Tuesdays and Thursdays between the hours of 1:00am and 6:00am; and
- (e) for all Non-Residential premises, on Fridays between the hours of 4:00am and 9:00am; and

(2) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device.

2. Section 1 of this Schedule does not apply to:

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(1) a Person who Waters Lawns or landscaping at premises described in a valid and subsisting Permit, provided the Person is and has been at all times in compliance with the Permit:

- (a) for Residential premises with a Permit watering is unrestricted each day between the hours of 4:00am and 9:00am, and
- (b) for Non-Residential premises with a Permit watering is unrestricted each day between the hours of 1:00am and 6:00am.

(2) Watering:

- (a) public sports playing fields and parks;
- (b) school yards;
- (c) the playing surfaces of golf courses;
- (d) nurseries, farms, turf farms, tree farms;
- (e) artificial turf or outdoor race tracks where watering is required for dust control or safety; or

- (f) flower gardens, vegetable gardens, decorative planters, shrubs or trees;
- (3) commercial car washes; or
- (4) filling of pools, spas, water play parks, and fountains.

STAGE 2 RESTRICTIONS

3. Subject to section 4 of this Schedule, when Stage 2 Restrictions are in force, no Person shall:

- (1) Water Lawns, except:
 - (a) for Residential premises with even numbered civic addresses, on Mondays between the hours of 4:00am and 9:00am; and
 - (b) for Residential premises with odd numbered civic addresses, on Thursdays between the hours of 4:00am and 9:00am; and
 - (c) for Non-Residential premises with even numbered civic addresses, on Wednesdays between the hours of 1:00am and 6:00am; and
 - (d) for Non-Residential premises with odd numbered civic addresses, on Tuesdays between the hours of 1:00am and 6:00am; and
- (2) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device;
- (3) use a hose providing Water to wash sidewalks, driveways, walls, roofs or other outdoor surfaces, unless the hose is equipped with an Automatic Shut-off Device, and the purpose of washing the surface is:
 - (a) to prepare a surface for painting, sealing, or similar treatment; or
 - (b) to prevent a condition that would be a risk to health or safety;

Pressure washing for the purpose of aesthetic cleaning will not be permitted, unless performed by a commercial cleaning service.
- (4) operate ornamental fountains.

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4 Section 3 of this Schedule does not apply to:

- (1) a Person who Waters Lawns or landscaping at premises described in a valid and subsisting Permit, provided the Person is and has been at all times in compliance with the Permit;
 - (a) for Residential premises with a Permit watering is unrestricted each day between the hours of 4:00am and 9:00am, and
 - (b) for Non-Residential premises with a Permit watering is unrestricted each day between the hours of 1:00am and 6:00am.

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(2) Watering:

- (c) public sports playing fields;
 - (d) school yards;
 - (e) the tee-off areas and putting greens of golf courses;
 - (f) once weekly watering of golf course fairways;
 - (g) nurseries, farms, turf farms, tree farms;
 - (h) flowers or vegetables at commercial vegetable or flower gardens;
 - (i) artificial turf or outdoor race tracks where watering is required for dust control or safety; or
 - (j) flower gardens, vegetable gardens, decorative planters, shrubs or trees;
- (3) commercial car washes; or
- (4) Water Play Parks with user-activated switches.

STAGE 3 RESTRICTIONS

5. Subject to section 6 of this Schedule, when Stage 3 Restrictions are in force, no Person shall:

(1) Water:

- (a) Lawns; or
 - (b) flower gardens, vegetable gardens, decorative planters, shrubs or trees, unless such Watering is carried by hand with hoses equipped with Automatic Shut-off Devices, and is not carried out using sprinklers or soaker hoses;
- (2) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device, and the purpose of washing is to maintain visibility of lights or licence plates, or the ability to see through windows, or is otherwise for the safe operation of the boat or motor vehicle;
- (3) use a hose providing Water to wash sidewalks, driveways, walls, roofs or other outdoor surfaces, unless the hose is equipped with an Automatic Shut-off Device, the work is performed commercially, and the purpose of washing the surface is:
- (a) to prepare a surface for painting, sealing, or similar treatment; or
 - (b) for the health or safety of any Person, or to prevent or control fires;
- (4) operate ornamental fountains;

- (5) use Water to fill or re-fill garden ponds, ornamental fountains, hot-tubs, or swimming pools; or
 - (6) use a hose providing Water unless the hose is equipped with an Automatic Shut-off Device.
6. Section 5 of this Schedule does not apply to:
- (1) Watering:
 - (a) nurseries, farms, turf farms, tree farms;
 - (b) public sports playing fields;
 - (c) school yards;
 - (d) the tee-off areas and putting greens of golf courses, provided that water is used only to the extent necessary to maintain the viability of the grass in those areas;
 - (e) flowers or vegetables at commercial vegetable or flower gardens; or
 - (f) artificial turf or outdoor race tracks if such Watering is required for dust control or safety;
 - (2) commercial car washes; or
 - (3) Water Play Parks with user-activated switches.

STAGE 4 RESTRICTIONS

7. When Stage 4 Restrictions are in force, no Person shall:
- (1) Water, or engage in drip irrigation using Water, of:
 - (a) Lawns or landscaping, whether newly planted or otherwise;
 - (b) flower or vegetable gardens;
 - (c) decorative planters;
 - (d) shrubs or trees;
 - (e) artificial turf, unless ordered by a regulatory authority; or
 - (f) outdoor tracks;
 - (2) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device, and the purpose of washing is to maintain visibility of lights or license plates, or the ability to see through windows, or is otherwise for the safe operation of the boat or motor vehicle;

- (3) use a hose providing Water to wash sidewalks, driveways, walls, roofs or other outdoor surfaces, unless the hose is equipped with an Automatic Shut-off Device and the washing has been ordered by a regulatory authority;
- (4) operate ornamental fountains;
- (5) operate a Water Play Park or water slide;
- (6) use Water to fill or re-fill garden ponds, ornamental fountains, hot-tubs, or swimming pools;
- (7) Winterize any pool;
- (8)
- (9) operate a car wash.

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8. For greater certainty, section 7 of this Schedule applies to all areas of:

- (1) golf courses;
- (2) nurseries, farms, turf farms, tree farms;
- (3) sports playing fields;
- (4) school yards; and
- (5) parks.

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Township of
Langley



Est. 1873

**WATER RESTRICTION
EXEMPTION PERMIT NO.**
Issued under the provisions of Township
of Langley Water Shortage Response
Bylaw 2012 No. 4909, as amended

Township of Langley Engineering Division: 604.533.6006

This Permit has been issued under the terms and conditions prescribed below.

**PERMISSION IS GRANTED FOR TO SPRINKLE OUTSIDE OF METRO VANCOUVER'S
STAGE 1 AND 2 WATER RESTRICTIONS AT THE FOLLOWING LOCATION FOR THE
PURPOSE OF ESTABLISHING NEW LANDSCAPING at**

Parcel Identifier	Description of Lands

This Permit is valid from

This permit is valid for a period of 21 days from start date and allows unrestricted sprinkling each day between the hours of 4:00am and 9:00am for Residential premises, and between the hours of 1:00am and 6:00am for Non-Residential premises.

This permit is only valid during Stage 1 and Stage 2 restriction stages. Permits are not valid during Stage 3 and Stage 4 restriction stages. The Township reserves the right to revoke and/or cancel a permit for non-compliance with the terms or conditions of the permit.

I authorize Township staff or representative of the Township to access my property to verify compliance with this permit.

**The reverse of this permit card must be displayed prominently at the
permit location and viewable from outside of the premises**

I hereby agree to the conditions of the permit:

Signed By: _____

Permit Issuance Date:

Issued By: _____

Any personal information collected on this form will be managed in accordance with the *Freedom of Information and Protection of Privacy Act*. Direct enquiries, questions, or concerns regarding the collection, use, disclosure, or safeguarding of personal information associated with this form to: Supervisor, Information, Privacy, and Records Management, Township of Langley, 20338 – 65 Avenue, Langley, BC V2Y 3J1 foi@tol.ca 604.533.6101

**THIS NEW LAWN/LANDSCAPING IS
EXEMPT FROM RESTRICTIONS**

Township of
Langley



Est. 1873

ENGINEERING DIVISION

Address: Expiry Date:

SCHEDULE "C"

**INFORMATION FOR PUBLIC ANNOUNCEMENT OF
STAGE 1 RESTRICTIONS**

A Public Announcement of Stage 1 Restrictions is sufficient for the purposes of section 9 of this Bylaw if it includes substantially the following information:

- That residential lawn sprinkling is allowed only from 4:00am to 9:00am
- That even-numbered residential addresses may sprinkle only on Mondays, Wednesdays and Saturdays, and that odd-numbered addresses may sprinkle only on Tuesdays, Thursdays and Sundays
- That non-residential lawn sprinkling is allowed only from 1:00am to 6:00am.
- That even-numbered non-residential addresses, may sprinkle only during the allowed time on Mondays and Wednesdays, and on Fridays may instead sprinkle from 4:00am to 9:00am.
- That odd-numbered non-residential addresses may sprinkle only during the allowed time on Tuesdays and Thursdays, and may sprinkle 4:00am to 9:00am on Fridays
- That these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds
- That when washing a boat or motor vehicle other than at commercial car wash, water hoses must be equipped with an Automatic Shut-off Device (e.g., a nozzle that shuts off automatically unless hand pressure is applied).

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**INFORMATION FOR PUBLIC ANNOUNCEMENT OF
STAGE 2 RESTRICTIONS**

A Public Announcement of Stage 2 Restrictions is sufficient for the purposes of section 10 of this Bylaw if it includes substantially the following information:

- That residential lawn sprinkling is allowed only from 4:00am to 9:00am.
- That even-numbered residential addresses may sprinkle only on Mondays, and that odd-numbered residential addresses may sprinkle only on Thursdays.
- That non-residential lawn sprinkling is allowed only from 1:00am to 6:00am.
- That even-numbered non-residential addresses may sprinkle only on Wednesdays, and that odd-numbered non-residential addresses may sprinkle only on Tuesdays.
- That these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds.
- Pressure washing is equivalent to hosing of an outdoor surface, and will not be permitted except to prevent a condition that would be a risk to health or safety, or prepare a surface or painting, sealing, or similar treatment. Pressure washing for the purpose of aesthetic cleaning will not be permitted, unless performed by a commercial cleaning service.
- That decorative fountains must be shut down.
- That when washing a boat or motor vehicle other than at commercial car wash, water hoses must be equipped with an Automatic Shut-off Device (e.g., a nozzle that shuts off automatically unless hand pressure is applied).

**INFORMATION FOR PUBLIC ANNOUNCEMENT OF
STAGE 3 RESTRICTIONS**

A Public Announcement of Stage 3 Restrictions is sufficient for the purposes of section 11 of this Bylaw if it includes substantially the following information:

- That lawn sprinkling is not allowed by homes or businesses
- That residential and most commercial gardens, shrubs, trees and flower beds may only be watered by hand, by containers or drip irrigation
- That pressure washing is prohibited, unless the work is performed commercially and the work is only being performed for reasons of health, safety or to prepare a surface for painting
- That decorative fountains must be shut down
- That hand washing of vehicles is restricted to features required for safety (windows, lights, licenses)
- That refilling of private, commercial and public swimming pools is prohibited
- That when washing a boat or motor vehicle other than at commercial car wash, water hoses must be equipped with an Automatic Shut-off Device (e.g., a nozzle that shuts off automatically unless hand pressure is applied).

**INFORMATION FOR PUBLIC ANNOUNCEMENT OF
STAGE 4 RESTRICTIONS**

A Public Announcement of Stage 4 Restrictions is sufficient for the purposes of section 12 of this Bylaw if it includes substantially the following information:

- That lawn sprinkling by homes or businesses is prohibited
- That watering of residential and commercial gardens, shrubs, trees and flower beds by any method is prohibited
- That drip irrigation is prohibited
- That private and commercial hosing or pressure washing is prohibited except if ordered by a regulatory authority
- That washing of vehicles using any method is prohibited except for features required for safety (windows, lights, licenses), including at commercial car washes.
- That decorative fountains must be shut down
- That refilling of private, commercial and public garden ponds, ornamental fountains, hot-tubs and swimming pools is prohibited
- That winterization of all pools is to be delayed until restrictions are lifted
- That the operation of Water Play Parks is prohibited