

VILLAGE OF GOLD RIVER

BYLAW NO. 751, 2024

A bylaw to regulate the use and conservation of water.

WHEREAS The Community Charter authorizes Council to regulate municipal services;

AND WHEREAS the Council of the Village of Gold River deems it necessary to conserve water;

NOW THEREFORE the Council of the Village of Gold River in open meeting assembled enacts as follows:

1. TITLE

This Bylaw can be cited as the "Village of Gold River Water Conservation Bylaw - NO. 751, 2024"

2. DEFINITIONS

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

"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 or contracted by the Village of Gold River to enforce this bylaw.

"Council" means the Council of the Village of Gold River.

"Director" means the Director of Operations or designate.

"Health or Safety" means federal or provincial enactments that require a use of water that violates a water use restriction in Schedule A to this Bylaw.

"Drip-irrigation System" means a subset of micro-irrigation that involves the use of small tubes, drip emitters, and / or tape systems placed near the base of plants. They release water slowly but over a longer period of time and directly to the root zone. They ensure targeted irrigation, reduce evaporation, wastage, and overall water consumption.

"Notice" means a Notice given under Section 6 of this bylaw.

"Nursery" means a business in which flowers, plants, trees or shrubs are grown or displayed for sale.

"Over-watering" means to water in a manner that saturates the lawn, boulevard or landscaped area being watered and results in water spreading onto areas beyond them.

"Owner" means any person who owns, is in possession of, or who has the care, control or custody of property.

"Permit" means a permit issued under Section 9 (a) of this bylaw.

"Public Notification Place" means the bulletin board located at the Village, Municipal Hall at 499 Muchalat Drive.

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

"Sprinkler" means a hose connected or other sprinkler system but excludes a Micro-irrigation or Drip-irrigation system.

"Stage" means the Stages 1, 2, 3 and 4 of Water Use Restrictions prescribed in Schedule "A" of this bylaw.

"Vehicle" means a device in, on or by which a person or thing is or may be transported or drawn on a highway.

“Village” means the Village of Gold River.

“Water” means water supplied by the Village of Gold River directly or indirectly to an Owner 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. Prohibitions

- a. The prohibitions in subsections (3) and (4) are in force at all times of the year.
- b. No person shall damage or allow the deterioration of any appliance so as to result in an increase in water use.
- c. 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.
- d. No person shall apply water intended for irrigation to an impervious surface such as a street, parking lot, sidewalk or driveway.
- e. No person, being an owner or occupier of property in the municipality or in an electoral area service area, shall use water or cause water to be used contrary to the restrictions in effect at the time pursuant to schedule ‘A’ of this bylaw.

4. Inspection

The Director or a bylaw compliance officer has the authority to enter, at all reasonable times and in a reasonable manner and after taking reasonable steps to give notice, 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.

5. Implementation of Conservation Stages and Restrictions

- a. Stage 1 and the water use restrictions for Stage 1 prescribed in schedule ‘A’ are in effect May 1 of the year, except as provided under subsection (e).
- b. Stage 2 and the water use restrictions for Stage 2 prescribed in Schedule A are in effect when there is a drought level 3 for the West Vancouver Island basin, except as provided under subsection (e).
- c. Stage 3 and the water use restrictions for Stage 3 prescribed in schedule ‘A’ are in effect when the 14-day average stream-flow within the Gold River is reduced below 8.6 cubic meters per second as measured at Station Id 08HC001, and when there is a drought level 4 for the West Vancouver Island Basin, except as provided under subsection (e).
- d. Stage 4 and the water use restrictions for Stage 4 prescribed in schedule ‘A’ are in effect when the 14-day average stream-flow within the Gold River is reduced below 4.3 cubic meters per second as measured at Station Id 08HC001, and when there is a drought level 5 for the West Vancouver Island Basin, except as provided under subsection (f).
- e. The chief administrative officer or the director, by written determination and based on the determination factors specified in section 7, may
 - i. Amend the effective period of time for stages 1, 2 or 3 water use restrictions, or
 - ii. Terminate or bring into effect water use restrictions up to and including stage 3 at any time of the year for any period of time.
- f. Emergency water use restrictions:
 - i. Council, at a regular, special or emergency meeting may bring into effect stage 4 water use restrictions.
- g. The chief administrative officer or the director, by written determination and based on the determination factors specified in section 7, may terminate stage 4 water restrictions.
- h. In the event of system failure which limits the delivery of water at normal volumes, the chief administrative officer or director may implement water restrictions as necessary to maintain the water system.
- i. The stage determined under section 7 and the water use restrictions prescribed under schedule ‘A’ for that stage take effect on the commencement date stated in the notice for that stage and remain in effect until that stage is terminated.

- j. A stage will remain in effect until it is terminated under this bylaw or until the commencement of another stage.

6. Notice

- a. The chief administrative officer or the director, must give notice or cause notice to be given to persons within the village of the applicable stage determined under section 5 and its effective dates of commencement and termination.
- b. The notice under 6.a. must be given at least once before the commencement of a more restrictive stage.
- c. The notice under this section must be posted at the public notification place and on the Village of Gold River website.

7. Determination Factors

- a.
 - i. The need to reduce peak demands on the water system, and
 - ii. Operational factors which limit the ability to supply normal water capacity.
- b. In making a determination under section 5.f.i, Council may consider the factors referred to in section 7.a.i and any other relevant information.

8. Water Use Restrictions

- a. The water use restrictions for each stage are prescribed in schedule 'A' to this bylaw and must be obeyed during the period that the applicable stage is in effect under this bylaw.
- b. The water use restrictions for each stage apply to both indoor and outdoor water use.
- c. The water use restrictions for each stage do not apply to the use of rain water, gray water, any forms of recycled water, or other sources of water outside the Village of Gold River Water Supply System.

9. Permits, Exemptions and Special Cases

- a. The Village of Gold River may issue permits for the installation of a new lawn, establishment, or re-establishment of flora in association with the implementation of other time sensitive approved works in the special cases and manner prescribed in schedule 'B' (example, habitat establishment included within an in stream works permit).
- b. Exemptions and special cases to the regulations in this bylaw are prescribed in schedule 'A'.
- c. Exempted persons and permit holders are exempted from section 3 to the extent permitted by schedule 'A' and the conditions of the permit where applicable.

10. Schedules

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

11. Penalty

- a. Any person who contravenes a provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and
 - i. on summary conviction is liable to a fine of not less than \$100 and subject to the maximum fines under the Local Government Act and the Offence Act; or
 - ii. on notice of Bylaw contravention, penalties may be processed in accordance with the Village of Gold River Bylaw Notice of Enforcement Bylaw No. 737, 2022.
- b. the case of a continuing violation, each day that a violation continues to occur shall constitute a separate offence.

12. Liability

- a. Nothing in this bylaw shall be interpreted as imposing any duty on the local governments to provide a continuous supply of water to any person or premises and it is a condition of supply of water that the local governments are not liable for any injury, damage, or loss, including economic loss, to any person or property:
 - i. Arising or occurring from the use of water from the system;
 - ii. Resulting from a failure of water supply to any consumer; or
 - iii. Resulting from any impurity, lack of pressure, increased supply pressure, or other condition affecting water supplied by the system.

13. Severability
- a. If any provision of this bylaw is held to be invalid by a court, the provision may be severed from this bylaw and such invalidity does not affect the validity of the remaining portions of this bylaw.

READ the first time this	2 nd	day of	April, 2023
READ the second time this	2 nd	day of	April, 2023
READ the third time this	15 th	day of	April, 2023
ADOPTED this		day of	, 2023

<hr/> M. Lott	Mayor	<hr/> M. Roy	Corporate Administrator
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VILLAGE OF GOLD RIVER

Schedule A

Water Conservation Stages and Measures:

Stage 1 Water Conservation Measures, **Restricted days and hours**

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 even numbered calendar days* between 7:00a.m. to 10a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.
2. At premises with *odd numbered civic addresses, on odd numbered calendar days* between 7:00a.m. to 10a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.
3. At Scout Lake Subdivision / Burman Residents premises on the *high side (#501-513) to water on odd numbered calendar days* between 7:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.
4. At Scout Lake Subdivision / Burman Residents premises on the *low side (#515-527) to water on odd numbered calendar days* between 7:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.
5. Strata Complex premises will water based on individual unit number with even numbered units, on even numbered calendar days and odd numbered units, on odd numbered calendar days. Permitted watering time is 7:00a.m. to 10a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.

During Stage 1 Water Conservation Measures, **Permitted uses:**

1. Hand watering of flower gardens, vegetable gardens, decorative planters, shrubs or trees. Drip irrigation for watering flower gardens, vegetable gardens, decorative planters and shrubs or trees is also permitted.
2. Use of a hose to provide water to wash boats or motor vehicles if the hose is equipped with an automated shut off device.
3. Watering of public sports playing fields, school yards or boulevards.
4. Prevention or control fires.
5. For health or safety of any person.
6. Municipal water park.
7. Water slide or sprinkler for the purpose of children's play.
8. Uses authorized by a permit issued by the CAO, Director of Operations, or designate in accordance with Schedule B.

Stage 2 Water Conservation Measures, **Restricted days and hours**

1. At premises with *even numbered civic addresses, on Tuesday and Friday* between 7:00a.m. to 10a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.
2. At premises with *odd numbered civic addresses, on Monday and Thursday* between 7:00a.m. to 10a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.
3. At Scout Lake Subdivision / Burman Residents premises on the *high side (#501-513) to water on Monday and Thursday* between 7:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.

4. At Scout Lake Subdivision / Burman Residents premises on the *low side (#515-527)* to water on *Tuesday and Friday* between 7:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.
5. Strata Complex premises will water based on individual unit number with even numbered units, on even numbered calendar days and odd numbered units, on odd numbered calendar days. Permitted watering time is 7:00a.m. to 10a.m. and 7:00 p.m. to 10:00 p.m. for hose supplied sprinklers or between 12:00 midnight and 4:00 a.m. for underground automated sprinkler systems.

During Stage 2 Water Conservation Measures, **Permitted uses:**

1. Hand watering of flower gardens, vegetable gardens, decorative planters, shrubs or trees. Drip irrigation for watering flower gardens, vegetable gardens, decorative planters and shrubs is also permitted.
2. Prevention or control fires
3. For health or safety of any person.
4. Municipal Water Park.
5. Watering of public sports playing fields and school yards or boulevards Monday, Wednesday, or Saturday.
6. Uses authorized by a permit issued by the CAO, Director of Operations, or designate in accordance with Schedule B.

Stage 3 Water Conservation Measures, **Restrictions:**

1. No person shall use a watering system to water a lawn, garden or landscaped area on property.

During Stage 3 Water Conservation Measures, **Permitted uses:**

1. Limited watering of public sports playing fields, school yards or boulevards, but only if failure to do so will result in a permanent loss of plant material.
2. Prevention or control fires.
3. For health or safety of any person.
4. Uses authorized by a permit issued by the CAO, Director of Operations, or designate in accordance with Schedule B.
5. Municipal Water Park Wednesday, Friday, Saturday, and Sunday.
6. Watering for vegetable / food garden.

Stage 4 Water Conservation Measures, **Restrictions:**

1. During Stage 4 all use of water for any purpose other than drinking, food preparation, personal hygiene, for the health and safety on any person and for the prevention or control of fires is prohibited.
2. Without limiting the generality of Section 1, prohibited uses of water during stage 4 include the following:
 - a. Watering outdoor lawns, gardens, plants, and trees in any manner or by any means, including watering by hand.
 - b. Filling or topping off or operating residential or commercial pools, hot tubs, ponds, or fountains.
 - c. Operating local government outdoor water parks or pools
 - d. Washing of vehicles, boats, or outdoor surfaces
 - e. Irrigating other public or school district use property.
3. Where reasonably possible, swimming pools, hot tubs, fountains and ponds should be drained for health and safety purposes and such water used for irrigation.
4. No new permits shall be authorized under Schedule B and any existing permits issued are suspended during stage 4.

VILLAGE OF GOLD RIVER

Schedule B

Reason for Permit:

New Lawn / Landscaping (\$50)		Construction (Private \$50, Public Waived)		Works part of Bylaw and Provincial orders or permits (supporting documentation required, Fee Waived)	
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Applicant Contact Information;

Name:

Address:

Suite	Street No.	Street		
City / Town / Village	Province	Postal Code		

Description of watering area:

Front		Side		Rear		All Areas	
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Other:

Description, include approximate area (indicate units, sq m, sq ft)

Starting Date:

Notes:

This permit is revocable in the case of a high stage water shortage, distribution, or supply emergency.
This permit expires 4 weeks from the date of issue unless extended in writing from the Village of Gold River.
The permit must be prominently displayed at the premises

Approved / Denied By: _____ Date: _____