



THE CORPORATION OF THE CITY OF DAWSON CREEK

WATER CONSERVATION MEASURES BYLAW NO. 3844, 2008

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the parent bylaw and the bylaws listed below. Amendments have been incorporated with the parent bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the subject bylaw.

Amendment Bylaw 4150, 2012

Amendment Bylaw 4183, 2013

Amendment Bylaw 4304, 2016

Amendment Bylaw 4494, 2021

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 3844

A Bylaw of The Corporation of the City of Dawson Creek (hereinafter called "the City") to establish water conservation measures within the City of Dawson Creek.

WHEREAS, the Council of the City of Dawson Creek deem it necessary from time to time to establish procedures and regulations for the use of water;

NOW THEREFORE, the Council of the City of the City of Dawson Creek, enacts as follows:

SECTION 1 - TITLE

- 1.1 This Bylaw may be cited for all purposes as "**WATER CONSERVATION MEASURES BYLAW NO. 3844, 2008**"

SECTION 2 - DEFINITIONS

- 2.1 In this bylaw the following words and terms have the following meanings assigned to them:

"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.

"Bylaw Enforcement Officer" means a person or persons appointed from time to time by resolution of City Council pursuant to Section 36 of the Police Act, the purpose of which is to enforce regulatory bylaws of the municipality.

"City" means the City of Dawson Creek.

"Commercial" means for profit or gain.

"Council" means the Council of the City of Dawson Creek.

"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.

"General Manager of Development Services" means a person appointed by the Chief Administrative Officer to be in charge of the Development Services Department for the City of Dawson Creek, or their designate.

"Permit" means a permit issued under Section 5 of this bylaw.

“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:

- a. a television or radio broadcast from a station that broadcasts to the City;
- b. 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 City at least once per week.

“Water Conservation Measures Stage” means conservation of water use imposed by Council, specifically the stages of restrictions specified in Section 4 of this bylaw.

“Stage 1 Measures” means the conservation of water use specified in section 4.1 of this bylaw.

“Stage 2 Measures” means the conservation of water use specified in section 4.2 of this bylaw.

“Stage 3 Measures” means the conservation of water use specified in section 4.3 of this bylaw.

“Stage 4 Measures” means the conservation of water use specified in section 4.4 of this bylaw.

“Water” used as a noun, means water supplied directly or indirectly by the City of Dawson Creek whether or not mixed with rain water, gray water or recycled water.

“Water or Watering” used as a verb, 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.

SECTION 3 - DECLARATION AND ANNOUNCEMENT OF WATER CONSERVATION MEASURES

- 3.1 The Council of the City of Dawson Creek may declare that the City has activated a water conservation stage.
- 3.2 If the Council makes a declaration under subsection 3.1, the water conservation stage described in the declaration comes into force in the City seventy-two hours after the Council or the General Manager of Development Services makes a public announcement of the declaration.
- 3.3 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.
- 3.4 If no water conservation measures are in force on May 1st of any year, Stage 1 Water Conservation measures automatically become effective on that date without prior declaration of the Council or announcement under section 3.2.

SECTION 4 - WATER CONSERVATION MEASURE STAGES

4.1 Stage 1 Water Conservation Measures

4.1.1 Subject to the provisions of section 4.5, when Stage 1 measures are in force, a person must not:

- a. water lawns, except:
 - (i) at premises with even-numbered civic addresses, on Wednesdays and Saturdays between 4:00 a.m. and 9:00 a.m. and between 7:00 p.m. and 10:00 p.m.; and
 - (ii) at premises with odd-numbered civic addresses, on Thursdays and Sundays between 4:00 a.m. and 9:00 a.m. and between 7:00 p.m. and 10:00 p.m.; or
- b. use a hose providing water to wash boats or motor vehicles, unless the hose is equipped with an automatic shut-off device.

4.2 Stage 2 Water Conservation Measures

4.2.1 Subject to the provisions of section 4.5, when Stage 2 Water Conservation Measures are in force, a person must not:

- a. water lawns, except:
 - (i) at premises with even-numbered civic addresses, on Wednesdays between 4:00 a.m. and 9:00 a.m. and between 7:00 p.m. and 10:00 p.m.; and
 - (ii) at premises with odd-numbered civic addresses, on Thursdays between 4:00 a.m. and 9:00 a.m. and between 7:00 p.m. and 10:00 p.m.;
- b. use a hose providing water to wash boats or motor vehicles, unless the hose is equipped with an automatic shut-off device.
- c. haul bulk water for non potable use.

4.3 Stage 3 Water Conservation Measures

4.3.1 Subject to the provisions of section 4.6, when Stage 3 Water Conservation Measures are in force, a person must not:

- a. water:
 - (i) any lawn; or
 - (ii) flower gardens, vegetable gardens, decorative planters, shrubs or trees, unless such watering is carried out by hand with a hose equipped with an

automatic shut-off device and is not carried out using sprinklers or soaker hoses;

- b. 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 is:
 - (i) to prepare a surface for painting, sealing, or similar treatment; or
 - (ii) to prevent or control fires; or
 - (iii) for the health or safety of any person;
- c. 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 the washing is to maintain visibility of lights or licence plates, or through windows, or is otherwise for the safe operation of the boat or motor vehicle;
- d. use water to fill or re-fill garden ponds, ornamental fountains, privately owned hot-tubs, or privately owned swimming pools; or
- e. use a hose providing water unless the hose is equipped with an automatic shut-off device;
- f. operate a lawn sprinkler using water for play.

4.4 Stage 4 Water Conservation Measures

4.4.1 When Stage 4 Water Conservation Measures are in force, a person must not:

- a. water, or engage in drip irrigation of:
 - (i) lawns or landscaping, whether newly planted or otherwise;
 - (ii) flower or vegetable gardens;
 - (iii) decorative planters;
 - (iv) shrubs or trees;
 - (v) artificial turf; or
 - (vi) outdoor tracks;
- b. 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 the washing is to maintain visibility of lights or licence plates, or through windows, or is otherwise for the safe operation of the boat or motor vehicle;

- c. use water to fill or re-fill garden ponds, ornamental fountains, privately owned hot-tubs, or privately owned swimming pools; or
- d. use a hose providing water unless the hose is equipped with an automatic shut-off device;
- e. operate a lawn sprinkler using water for play;
- f. 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;
- g. operate a privately owned water play park or water slide; or

4.4.2 For greater certainty, the provisions of subsection 4.4.1 apply to all areas of:

- a. commercial nurseries and produce farms;
- b. turf farms;
- c. golf courses;
- d. sports playing fields; and
- e. school yards.

4.5 Exceptions to Water Conservation Measures – Stages 1 and 2

4.5.1 The Stage 1 Water Conservation Measures specified in subsections 4.1.1 and Stage 2 Water Conservation Measures specified in subsections 4.2.1 do not apply to:

- a. a person who waters lawns or landscaping at premises pursuant to a permit, provided the person is and has been at all times in compliance with the permit;
- b. watering:
 - (i) public sports playing fields;
 - (ii) school yards;
 - (iii) turf at turf farms;
 - (iv) artificial turf or outdoor race tracks where watering is required for dust control or safety;
 - (v) flower gardens, vegetable gardens, decorative planters, shrubs or trees; and
 - (vi) the playing surface of golf courses.

4.6 Exceptions to Water Conservation Measures – Stage 3

- 4.6.1 The Stage 3 Water Conservation Measures specified in subsection 4.3.1 do not apply to:
- a. a person who waters lawns or landscaping at premises pursuant to a permit issued under subsection 5.1.3, provided the person is and has been at all times in compliance with the permit;
 - b. watering:
 - (i) as permitted in clauses b.i through v of subsection 4.5.1.;
 - (ii) flowers or produce at commercial nurseries or produce farms;
 - (iii) trees at tree farms; and
 - (iv) 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.

4.7 Time Limit for Water Conservation Measures

- 4.7.1 No Water Conservation Measures Stage remains in force after September 30th of any year, unless the Council makes a declaration under this section.
- 4.7.2 At any time before or after September 30th of any year, the Council may, by resolution, declare that notwithstanding subsection 4.7.1, a Water Conservation Measures Stage will remain in force or come into force after September 30th.

SECTION 5 - PERMITS

5.1 Permits for New Lawns or Landscaping

- 5.1.1 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 Development Services for a permit authorizing the person to water the new lawn and new landscaping when Stage 1, Stage 2 or Stage 3 Water Conservation Measures are in force.
- 5.1.2 An application for a permit must be accompanied by an application fee as set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time.
- 5.1.3 The General Manager of Development Services, upon being satisfied that an applicant qualifies under section 5.1.1, may issue a permit to the applicant.
- 5.1.4 Notwithstanding Stage 1, Stage 2 or Stage 3 Water Conservation Measures, the holder of a valid permit is authorized to water new lawn and new landscaping at the premises described in the permit during the times and for the period specified in the permit.

- 5.1.5 A permit does not exempt the holder from Stage 4 Water Conservation Measures.
 - 5.1.6 A permit must be affixed to a window or a post facing the street serving the premises, beside the principal driveway from the street to the premises.
 - 5.1.7 A permit expires and is of no force or effect 21 days after the date of its issue, unless extended under subsection 5.1.8.
 - 5.1.8 Before or after the expiration of a permit, the permit holder may apply for one extension of the permit, but any such extension must end on or before 42 days from the date of the issue of the permit under section 5.1.3.
 - 5.1.9 Where a person holding a permit issued pursuant to this section contravenes any provision of this bylaw the General Manager of Development Services may revoke the permit or refuse to issue an extension.
- 5.2 Temporary Hydrant Permits
- 5.2.1 A Temporary Hydrant Permit will not be issued when Stage 4 Water Conservation Measures are in force.
 - 5.2.2 A temporary hydrant permit previously issued as per the Temporary Hydrant Permit is void and of no force when Stage 4 Water Conservation Measures are in force.

SECTION 6 - DELEGATION OF AUTHORITY

- 6.1 The General Manager of Development Services may delegate some or all of his or her powers and duties under this bylaw.

SECTION 7 - ENFORCEMENT

- 7.1 Any person designated as a Bylaw Enforcement Officer pursuant to the City of Dawson Creek's Bylaw Enforcement Notice Bylaw or Dawson Creek's Municipal Ticket Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the Bylaw Notice Enforcement Bylaw No. 4277, 2016 as amended from time to time, or by the Municipal Ticket Information System Bylaw No. 4278, 2016 as amended from time to time.
- 7.2 No person shall do any act or suffer or permit any act to be done in contravention of this bylaw.
- 7.3 No person shall obstruct or impede a bylaw officer in lawful performance on any property, at all reasonable times, in order to ascertain whether such regulations are being observed as per Section 16 of the *Community Charter*.
- 7.4 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.
- 7.5 A person who contravenes any provision of this bylaw is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.

7.6 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

SECTION 8 - ADMINISTRATIVE

8.1 If any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.

8.2 Section 19 of "Bylaw No. 3326 Dawson Creek Water Rates and Regulations Bylaw No. 3326, 1998" is hereby repealed.

8.3 This bylaw comes into effect on the date of adoption.

READ a first time this 6th day of March, 2006.

READ a second time this 6th day of March, 2006.

READ a third time this 6th day of March, 2006.

Third Reading rescinded this 11th day of August, 2008.

RE-READ a third time as amended this 11th day of August, 2008.

ADOPTED this 8th day of September, 2008.

CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 3844 cited as "WATER CONSERVATION MEASURES BYLAW NO. 3844, 2008".

ORIGINAL SIGNED BY
Brenda Ginter
Director of Corporate Administration

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

ORIGINAL SIGNED BY
Calvin Kruk – Mayor

ORIGINAL SIGNED BY
Brenda Ginter – Director of Corporate Administration