

District of West Vancouver



Water Shortage Response Plan Bylaw No. 4418, 2005

Effective Date – May 24, 2005

Consolidated for Convenience Only

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original 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 bylaw on this subject.

Amendment Bylaw	Effective Date
Bylaw No. 4521, 2007	October 22, 2007
Bylaw No. 4690, 2011	July 4, 2011

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Water Shortage Response Plan Bylaw No. 4418, 2005). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Water Shortage Response Plan Bylaw No. 4418, 2005

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District of West Vancouver

Water Shortage Response Plan Bylaw No. 4418, 2005

A bylaw to regulate water shortage response measures, including the specification of water use restrictions and activation of water restriction stages.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for municipal water shortage response measures that are consistent with response plans throughout the Greater Vancouver Regional District;

NOW THEREFORE, the Council of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Water Shortage Response Plan Bylaw No. 4418, 2005.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Definitions

- 3.1 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;

“Bylaw Enforcement Officer” means every person designated by Council as a Bylaw Enforcement/Compliance Officer;

“Commissioner” means the Commissioner of the Greater Vancouver Water District;

“District” means the District of West Vancouver;

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

“Engineer” means the Director of Engineering and Transportation appointed by Council, or his/her designated representative;

“Lawns” means grass growing and do not include gardens, flower beds, shrubbery, or trees, but do include grass growing at cemeteries;

“Non-Residential” means any building unit(s) other than residential housing, such as office buildings, shops, industrial units, churches, or hotels. In cases of mixed use, where commercial or industrial components are included in the same property along with residential, and subject to the landscaping being watered by an in-ground sprinkling system, the designation shall then be classified as “Non Residential”;

“Permit” means a permit issued under Part 6;

“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:

- (i) a television or radio broadcast from a station that broadcasts to the District;
- (ii) 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 District at least once per week.

“Residential” means a dwelling unit used for residential purposes;

“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 1.1 and 1.2 of Schedule A;

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“Stage 2 Restrictions” means the restrictions on Water use described in sections 2.1 and 2.2 of Schedule A;

“Stage 3 Restrictions” means the restrictions on Water use described in sections 3.1 and 3.2 of Schedule A;

“Stage 4 Restrictions” means the restrictions on Water use described in sections 4.1 and 4.2 of Schedule A;

“Water” used as a noun means water supplied directly or indirectly by Greater Vancouver Water District or the District, 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, that includes water slides longer than 10 metres;

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

“Water Use Plan” means a Water Use Plan approved by the Engineer for a golf course operation under Part 5.

Part 4 Declaration and Announcement of Restriction Stages

4.1

- (a) The Commissioner may, by letter to the Municipal Clerk, declare that the Greater Vancouver Water District has activated a Restriction Stage.
- (b) If the Commissioner makes a declaration under subsection (a), the Restriction Stage described in the declaration comes into force in the District seventy-two hours after the Commissioner or the Municipal Clerk makes a Public Announcement of the declaration.
- (c) When a Restriction Stage comes into force under this section, a Restriction Stage that had been in force, if any, ceases to be in force.

4.2 If no Restriction Stage is in force on June 1st of any year, Stage 1 Restrictions come into force on that date without prior declaration of the Commissioner or announcement under section 4.3.

4.3

- (a) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 1 Restrictions, a Public Announcement by the Municipal Clerk or the Commissioner is sufficient for the purposes of paragraph 4.1(b) if it contains substantially the information set out in Schedule B.
- (b) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 2 Restrictions, a Public Announcement by the Municipal Clerk or the Commissioner is sufficient for the purposes of paragraph 4.1(b) if it contains substantially the information set out in Schedule C.
- (c) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 3 Restrictions, a Public Announcement by the Municipal Clerk or the Commissioner is sufficient for the purposes of paragraph 4.1(b) if it contains substantially the information set out in Schedule D.
- (d) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 4 Restrictions, a Public Announcement by the Municipal Clerk or the Commissioner is sufficient for the purposes of paragraph 4.1(b) if it contains substantially the information set out in Schedule E.

4.4

- (a) No Restriction Stage remains in force after September 30th of any year, unless the Commissioner makes a declaration under this section.
- (b) At any time before or after September 30th of any year the Commissioner may, by letter to the Municipal Clerk declare that notwithstanding subsection (a), a Restriction Stage will remain in force or come into force after September 30th.
- (c) Subsections 4.1(b), 4.1 (c) and section 4.3 apply to a declaration made under this section, 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 September 30th will remain in force until further declaration of the Commissioner.
- (d) The Commissioner may make one or more declarations under this section.

Part 5 Golf Course Water Use Plans

- 5.1 A golf course operator may apply in writing to the Engineer for approval of a Water Use Plan stipulating:
- (a) the volume of Water historically consumed by the golf course operation from the first day of June to the last day of September of each year;
 - (b) the volume of Water to be consumed by the golf course operation from June 1st to September 30th of each year under the proposed Water Use Plan;
 - (c) the measures to be followed by the golf course operation to conserve Water and to reduce the use of Water;
 - (d) the schedule for Watering specified areas within the golf course operation for each of Restrictions Stages 1-3;
 - (e) that the golf course will report its actual water use to the Engineer not less than once per month when Stage 1 Restrictions or Stage 2 Restrictions are in force, and not less than once every two weeks when Stage 3 Restrictions are in force;
 - (f) such other information or commitments, conditions or restrictions as the Engineer may require.
- 5.2 The Engineer may approve a proposed Water Use Plan in whole or in part, and may amend the proposed Water Use Plan, or add such other or further commitments, conditions and restrictions, as the Engineer considers advisable.
- 5.3 If the golf course operator consents to adopt a Water Use Plan approved by the Engineer, it shall signify such consent in writing, specifying the date on which the golf course operator will adopt the Water Use Plan, in which case the Water Use Plan shall come into force for that golf course on the later of the date specified in the notice of consent, or the date on which the Engineer receives the written notice of consent.
- 5.4 If the golf course operator does not consent to adopt the Water Use Plan approved by the Engineer, the Water Use Plan shall be of no force or effect.
- 5.5 If a Water Use Plan is in force for a golf course operation, the golf course operator shall comply with all conditions and restrictions set out in the Water Use Plan.

- 5.6 The Engineer may terminate or suspend a Water Use Plan by notifying the golf course operator in writing at least seven days before the termination date.
- 5.7 A golf course operator may terminate a Water Use Plan by notifying the Engineer in writing, in which case the Water Use Plan is terminated on the later of the date specified in the notice, or the date on which the Engineer receives the notice.

Part 6 Permits

- 6.1 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 Engineer 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.
- 6.2 The Engineer, upon being satisfied that an applicant qualifies under section 6.1, shall issue a Permit in the form set out in Schedule F to the applicant.
- 6.3 A Permit issued under section 6.2 shall be affixed to a post facing the street serving the premises, beside the principal driveway from the street to the premises.
- 6.4 A Permit issued under section 6.2 shall expire and be of no force or effect 21 days after the date of its issue, unless the Person has been issued an extension under section 6.5.
- 6.5 Before or after the expiration of a Permit issued under section 6.2 a Person may apply for one extension of the Permit on the same terms and conditions as may be imposed under section 6.2. Such an extension shall end on or before 42 days from the date of the issue of the Permit under section 6.2.

Part 7 Inspection of Premises by Engineer

- 7.1 Every person to whom water is supplied under this bylaw shall at all reasonable times allow, suffer and permit the Engineer, or any person authorized by him for such purposes, to enter into and upon the property for the purpose of inspecting the water pipes, connections, fixtures, taps,

meters and any other apparatus used in connection with such water supply.

Part 8 Offence and Penalty

Amended by
Regulatory
Bylaw
Enforcement
and Penalty
Bylaw No.
4521, 2007

- 8.1 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500.
- 8.2 Each day that a violation continues or exists under this bylaw is a separate offence.

Part 9 Date of Coming into Force

- 9.1 This Bylaw comes into force and takes effect on the date of its passing.

Schedules

Schedule A – Restriction Stages

Schedule B – Information for Public Announcement of Stage 1 Restrictions

Schedule C – Information for Public Announcement of Stage 2 Restrictions

Schedule D – Information for Public Announcement of Stage 3 Restrictions

Schedule E – Information for Public Announcement of Stage 4 Restrictions

Schedule F – Special Sprinkling Permit Form

READ A FIRST TIME on May 9, 2005

READ A SECOND TIME on May 9, 2005

READ A THIRD TIME on May 9, 2005

ADOPTED by the Council on May 24, 2005

Mayor

Municipal Clerk

Schedule A – Restriction Stages

Part 1 Stage 1 Restrictions

1.1 Subject to section 1.2 of this Schedule, when Stage 1 Restrictions are in force, no Person shall:

Amendment
Bylaw No. 4690,
2011

- (a) Water Lawns, except:
 - (i) at Residential addresses: even numbered addresses – Monday, Wednesday and Saturday mornings (4:00 am – 9:00 am), odd numbered addresses - Tuesday, Thursday and Sunday mornings (4:00 am – 9:00 am);
 - (ii) at Non-Residential addresses: even numbered addresses – Monday and Wednesday mornings (1:00 am – 6:00 am), odd numbered addresses – Tuesday and Thursday mornings (1:00 am – 6:00 am). All non-residential addresses – Friday mornings (4:00 am – 9:00 am).
- (b) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device.

1.2 Section 1.1 of this Schedule does not apply to:

Amendment Bylaw
No. 4690, 2011

- (a) 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;
- (b) Watering:
 - (i) public sports playing fields and municipal parks;
 - (ii) school yards;
 - (iii) the playing surfaces of golf courses;
 - (iv) turf at turf farms;
 - (v) artificial turf or outdoor race tracks where watering is required for dust control or safety;
 - (vi) flower gardens, vegetable gardens, decorative planters, shrubs or trees.
- (c) commercial car washes;
- (d) filling of pools, spas, water play parks, and fountains.

Amendment Bylaw
No. 4690, 2011

Part 2 Stage 2 Restrictions

2.1 Subject to section 2.2 of this Schedule, when Stage 2 Restrictions are in force, no Person shall:

Amendment Bylaw
No. 4690, 2011

- (a) Water Lawns, except:
 - (i) at Residential addresses: even-numbered addresses – Monday mornings only (4:00 am – 9:00 am), odd-numbered addresses -Thursday mornings only (4:00 am – 9:00 am);
 - (ii) at Non-Residential addresses: even-numbered addresses – Wednesday mornings only (1:00 am – 6:00 am), odd-numbered addresses – Tuesday mornings only (1:00 am – 6:00 am).
- (b) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device;
- (c) 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:
 - (i) to prepare a surface for painting, sealing, or similar treatment; or
 - (ii) for the health or safety of any Person, or to prevent or control fires; or
- (d) operate ornamental fountains.

2.2 Section 2.1 of this Schedule does not apply to:

- (a) 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;
- (b) Watering:
 - (i) public sports playing fields;
 - (ii) school yards;
 - (iii) the tee-off areas and putting greens of golf courses;
 - (iv) turf at turf farms;
 - (v) flowers or vegetables at commercial vegetable or flower gardens;
 - (vi) artificial turf or outdoor race tracks where watering is required for dust control or safety;
 - (vii) flower gardens, vegetable gardens, decorative planters, shrubs or trees.

- (c) commercial car washes.

Part 3 Stage 3 Restrictions

3.1 Subject to section 3.2 of this Schedule, when Stage 3 Restrictions are in force, no Person shall:

- (a) Water:
 - (i) Lawns; or
 - (ii) 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.
- (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 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 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:
 - (i) to prepare a surface for painting, sealing, or similar treatment; or
 - (ii) for the health or safety of any Person, or to prevent or control fires;
- (d) operate ornamental fountains;
- (e) use Water to fill or re-fill garden ponds, ornamental fountains, hot-tubs, or swimming pools; or
- (f) use a hose providing Water unless the hose is equipped with an Automatic Shut-off Device.

3.2 Section 3.1 of this Schedule does not apply to:

- (a) Watering:
 - (i) turf on turf farms;
 - (ii) public sports playing fields;
 - (iii) school yards;
 - (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;

- (v) flowers or vegetables at commercial vegetable or flower gardens; or
 - (vi) artificial turf or outdoor race tracks if such Watering is required for dust control or safety; or
- (b) commercial car washes.

Part 4 Stage 4 Restrictions

4.1 Subject to section 4.2 of this Schedule, when Stage 4 Restrictions are in force, no Person shall:

- (a) Water, or engage in drip irrigation using Water, 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;
 - (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 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;
- (c) operate a lawn sprinkler using Water for play;
- (d) 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;
- (e) operate ornamental fountains;
- (f) operate a Water Play Park or water slide;
- (g) use Water to fill or re-fill garden ponds, ornamental fountains, hot-tubs, or swimming pools;
- (h) use Water from a hose providing Water unless the hose is equipped with an Automatic Shut-off Device; or
- (i) operate a car wash.

4.2 For greater certainty, section 4.1 of this Schedule applies to all areas of:

- (a) golf courses;
- (b) turf farms;

- (c) sports playing fields; and
- (d) school yards.

Part 5 Exemptions

- 5.1 The restrictions set out in Parts 1-3 of this Schedule do not apply to a Person operating under a valid and subsisting Water Use Plan issued under Part 5 of this Bylaw, provided that the Person is in compliance with the Water Use Plan.

Schedule B – Information for Public Announcement of Stage 1 Restrictions

A Public Announcement of Stage 1 Restrictions is sufficient for the purposes of section 4.3 of this Bylaw if it includes substantially the following information:

Amendment Bylaw
No. 4690, 2011

- That lawn sprinkling is allowed only from 1:00 am – 9:00 am;
- That residential, even-numbered addresses may sprinkle only on Monday, Wednesday and Saturday mornings between 4:00 am – 9:00 am. Residential, odd-numbered addresses may sprinkle only on Tuesday, Thursday and Sunday mornings between 4:00 am – 9:00 am. Non-residential, even numbered addresses may sprinkle only on Monday and Wednesday mornings between 1:00 am – 6:00 am. Non-residential, odd numbered addresses may sprinkle only on Tuesday and Thursday mornings between 1:00 am – 6:00 am. All non-residential addresses may sprinkle on Friday mornings between 4:00 am – 9:00 am;
- That these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds; and
- 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).

Schedule C - Information for Public Announcement of Stage 2 Restrictions

A Public Announcement of Stage 2 Restrictions is sufficient for the purposes of section 4.3 of this Bylaw if it includes substantially the following information:

Amendment Bylaw
No. 4690, 2011

- That lawn sprinkling is allowed only from 1:00 am – 9:00 am;
- That residential, even-numbered addresses may sprinkle only on Monday mornings between 4:00 am – 9:00 am. Residential, odd-numbered addresses may sprinkle only on Thursday mornings between 4:00 am – 9:00 am. Non-residential, even-numbered addresses may sprinkle only on Wednesday mornings between 1:00 am – 6:00 am. Non-residential, odd-numbered addresses may sprinkle only on Tuesday mornings between 1:00 am – 6:00 am;
- That these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds;
- That hosing or pressure washing of outdoor surfaces is only allowable for health, safety or preparing a surface for painting, sealing, or similar treatment;
- That decorative fountains must be shut down; and
- 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).

Schedule D - Information for Public Announcement of Stage 3 Restrictions

A Public Announcement of Stage 3 Restrictions is sufficient for the purposes of section 4.3 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 private (residential) pressure washing is prohibited, and that commercial hosing or pressure washing is only allowed for health, safety or preparing 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; and
- 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).

Schedule E - Information for Public Announcement of Stage 4 Restrictions

A Public Announcement of Stage 4 Restrictions is sufficient for the purposes of section 4.3 of this Bylaw if it includes substantially the following information:

- That lawn sprinkling by homes or businesses is prohibited, including using sprinklers for children's play;
- 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; and
- That the operation of Water Play Parks is prohibited.

Schedule F – Special Sprinkling Permit

Date:

Our File: 1815-13

Dear Sir/Madam:

RE: Special Sprinkling Permit

Please be advised that this letter is authorization for you to sprinkle the lawn and garden at _____ every day during the following hours only:

4:00 a.m. to 9:00 a.m. and 7:00 p.m. to 10:00 p.m.

This permit is valid for a period of three weeks commencing from

_____ to _____.

Yours truly,

Chris Leonard
Utilities Superintendent
/jh