



## THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



# Village of Lions Bay Outdoor Water Use Bylaw No. 484, 2015

## Office Consolidation

This document is an office consolidation of Village of Lions Bay Outdoor Water Use Bylaw No. 484, 2015 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of Village of Lions Bay Outdoor Water Use Bylaw No. 484, 2015, as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: [admin@lionsbay.ca](mailto:admin@lionsbay.ca)

### List of Amending Bylaws

| Bylaw No. | Section     | Description                          | Adopted         |
|-----------|-------------|--------------------------------------|-----------------|
| 497       | 4 (sched B) | References to previous Bylaw amended | January 1, 2017 |

**VILLAGE OF LIONS BAY****BYLAW No. 484, 2015****Outdoor Water Use Bylaw**

A Bylaw to provide for regulations governing water conservation within the Village of Lions Bay, enacted by the Council of the Village of Lions Bay, in open meeting assembled, as follows:

**PART 1 - CITATION**

1. This Bylaw may be cited as "Village of Lions Bay Outdoor Water Use Bylaw 484, 2015".

**PART 2 - SEVERABILITY**

2. 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 portion.

**PART 3 - DEFINITIONS**

3. In this Bylaw, the following definitions apply:

**"Appliance"** means a device or mechanism, other than that owned and operated by the Village of Lions Bay, in or through which water is piped or used for a domestic or commercial 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 by the Municipality to enforce bylaws on behalf of the Village.

**"Chief Administrative Officer"** means the current Chief Administrative Officer for the Village of Lions Bay.

**"Conservation Measures"** means the conservation measures prescribed in Schedule "A" of this Bylaw.

**"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.

“**Fill**” means to fill completely with Water.

“**Flush**” means

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

“**Level**” means the Level 1, 2, 3, and 4 of Water Use Restrictions prescribed in Schedule “A” of this Bylaw.

“**Municipal Water**” means potable drinking water supplied by the Village, 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.

“**Municipality**” means the Municipality of the Village of Lions Bay.

“**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 **Section 5** or **Section 6** of this Bylaw.

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

“**Permit**” means a Permit issued under **Section 8** of this Bylaw.

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

“**Public Notice Posting Places**” means the posting placed defined by the Village of Lions Bay’s Council Procedures Bylaw;

“**Public Works Manager**” means the current Public Works Manager for the Village of Lions Bay.

“**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 Municipal Water issues from a hose for the purposes of watering but excludes soaker hoses, Micro-irrigation or Drip-irrigation Systems.

“**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.

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

**PART 4 – CONSERVATION OF MUNICIPAL WATER**

4.1 A person must not:

- a) use Municipal Water outdoors, or cause, allow or suffer Municipal Water to be used, except in accordance with this Bylaw;
- b) Waste Municipal Water by:
  - i. Causing, suffering or allowing the use of an Appliance that Wastes Municipal Water.
  - ii. Using more Water than is absolutely necessary to complete a task, provide a service or produce a thing, or
  - iii. Over-Watering

**PART 5 - WATER CONSERVATION LEVELS**

5.1 The Municipal Water use conservation level of Level 1 is in effect from June 1 through to September 30 of each year unless a Notice is published on behalf of the Municipality that:

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

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

5.2 If at any time of the year, the Municipality considers that factors set out in **Section 7** could impact the source of Municipal Water supply such that for the purposes of conservation, additional restrictions on the use of Municipal Water are advisable, the Municipality may, in accordance with **Section 4**:

- a) amend the effective time period for Level 1 to a certain period or until further Notice; or
- b) suspend or terminate the current Level and replace it with a more restrictive Level.

5.3 When a more restrictive Level than Level 1 is in effect and the Municipality considers that the current restrictions are no longer necessary for the purpose of conserving the Municipal Water supply, the Municipality may terminate that more restrictive Level and replace it with a less restrictive Level.

5.4 A Level will remain in effect until the date set out in a Notice for an alternative Level, or if that date is not stated, until the day following the earlier of:

- a) the date of posting of a Notice in the Public Notice Posting Places;
- b) the date of publication of the Notice on the Village's website; or

- c) the date of the Notice that may be hand delivered within the Village.

## **PART 6 – COMPLIANCE**

- 6.1 Every person must comply with the restrictions of the Level that is in effect under Schedule “A”, or as specifically set out in a Permit issued by the Village.

## **PART 7 – DETERMINATION FACTORS**

- 7.1 In making a decision under **Section 5.2** or **Section 5.3**, or in considering an application for a Permit, the Municipality may take into account relevant precipitation and weather patterns, geological or other natural conditions, the maximum daily flow of water from the Municipal Water supply and distribution system projections of usage, and any other factors that reasonably could impact the available supply of Municipal Water over a particular time period.

## **PART 8 – PERMITS, EXEMPTIONS AND SPECIAL CASES**

- 8.1 A person who applies for a Permit under this Bylaw must pay a fee and submit an application to the Village, on the approved form.
- 8.2 On receiving an application for a Permit pursuant to Schedule “A” and “B”, together with payment in full of any applicable fee, the Municipality may issue a Permit in accordance with those Schedules.
- 8.3 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.
- 8.4 The Village may, by written Notice to the holder of a Permit, suspend, revoke or cancel a Permit if the Municipality considers that the Permit is not being fully complied with.

## **PART 9 – SCHEDULES**

- 9.1 Schedules “A”, “B” and “C” of this Bylaw form part of and are enforceable in the same manner as this Bylaw.

## **PART 10 – ENFORCEMENT**

- 10.1 This Bylaw may be enforced by a Bylaw Enforcement Officer.
- 10.2 The 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.

10.3 No person shall obstruct or interfere with a Bylaw Enforcement Officer in the performance of his or her duties under this Bylaw.

10.4 This Bylaw may be enforced:

- a) By means of a ticket issued under the Municipality’s Bylaw Notice Enforcement Bylaw No. 385, 2006;
- b) By prosecution under the Offence Act;
- c) By way of a bylaw notice under the Bylaw Notice Enforcement Act and bylaws of the Municipality made under that Act; or
- d) By way of civil action as authorized by statute.

**READ A FIRST TIME** May 5, 2015

**READ A SECOND TIME** May 5, 2015

**READ A THIRD TIME** May 12, 2015

**ADOPTED** May 19, 2015

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Corporate Officer**

**Certified a true copy of  
Bylaw No. 484, 2015 as adopted.**

\_\_\_\_\_  
**Corporate Officer**

**SCHEDULE "A"**

**OUTDOOR WATER USE BYLAW (OWUB)**

**OUTDOOR WATER USE CONSERVATION LEVELS**

**Outdoor Water Use Conservation Measures, Levels 1 to 3**

Levels are established by Lions Bay Municipality with immediate effect, and apply to the use of treated drinking water supplied by the Municipality (not to rain water, grey water, any form of recycled water, or outside water). All measures are enforceable under this Bylaw.

|  | ACTIVITY  | CONSERVATION LEVEL 1  | CONSERVATION LEVEL 2  | CONSERVATION LEVEL 3                                      |
|--|---|---|---|---|
| <b>RESIDENTIAL &amp; COMMERCIAL USES</b> | <b>Watering lawns, 4 - 9 am only.</b><br><br><b>Newly planted lawns may be watered outside allowed times with a municipal permit displayed.</b> | Even-number addresses: Monday, Wednesday and Saturday.<br>Odd-number addresses: Tuesday, Thursday and Sunday.                     | Even-number addresses: Monday only.<br>Odd-number addresses: Thursday only.                                     | Prohibited  |
|  | <b>Watering flowers, vegetables, planters, shrubs, trees</b>  | No restriction.   | Only by hand using spring-loaded nozzle, containers or Drip Irrigation. Sprinklers and soaker hoses prohibited. | Prohibited  |
|  | <b>Use of pools, spas, ponds</b>  | No restrictions. Must have a recirculation pump. "One-time-through" uses are prohibited at all times.                             |   | Filling Prohibited  |
|  | <b>Washing outdoor impermeable surfaces such as driveways, buildings, sidewalks, and roads, including pressure washing</b>                      | No restriction.   | Only for health and safety purposes or to prepare a surface for painting or similar treatment.                  | Prohibited  |
|  | <b>Washing vehicles and boats</b>   | Only with hose equipped with spring-loaded shut off.  | Only by bucket.   | Prohibited, except for windows, lights and license plates |
|  | <b>Flushing boat engines</b>  | No restriction.   |   | Four (4) minutes maximum                                  |
|  | <b>Filling outdoor water storage</b>  | No restriction.   |   | Prohibited  |
| <b>PUBLIC USES</b>                       | <b>Watering of school property, including Lions Bay Field</b>   | No restriction.   | Minimum to maintain in useable condition.   | Prohibited  |
|  | <b>Watering of parks, municipal lawns, grassed boulevards, 1 – 6 am only</b>  | Even-number addresses: Monday and Wednesday.<br>Odd number addresses: Tuesday and Thursday.<br>Non-residential addresses: Friday. | Even-number addresses: Wednesday only.<br>Odd-number addresses: Tuesday only.                                   | Prohibited  |
|  | <b>Flushing of water mains and hydrants</b>   | Only for safety or public health reasons  |   |   |



**SCHEDULE "B"****OUTDOOR WATER USE BYLAW****PERMITS**

1. No new Lawn watering Permits will be issued in the months of July or August.
2. Permits will not be issued or be valid during Level 2, or Level 3.
3. During Level 1, a person who has installed a new Lawn, either newly seeded or new sod, may apply to the Municipality through the Public Works Manager for a Permit, which will allow the new Lawn to be watered outside of the Level 1 permitted hours but within a prescribed period of hours per day.
4. The Municipality shall issue a Permit to an applicant pursuant to **Section 8** upon payment to the Village of a fee established in the Village of Lions Bay Fees Bylaw No. 497, 2016.  
[Amended by Bylaw No. 497, 2016]
5. The Permit shall be conspicuously displayed at the premises for which it was issued.

**SCHEDULE "C"**

**OUTDOOR WATER USE BYLAW**

**CLASS OF PARKS**

**"A" Parks**

- Brunswick Beach Park
- Kelvin Grove Beach Park
- Lions Bay Beach Park
- Marjorie's Meadows
- Wade Park

**Gardens**

- Lions Bay Native Plant Garden
- Lions Bay Vegetable Allotment

**Boulevards**

- Municipally owned boulevards and easements

**School Fields**

- Lions Bay Field