

BYLAW NO. 04-15

A BYLAW TO RESTRICT OUTDOOR WATER USAGE

WHEREAS, the Council of The Village of Buena Vista may deem it expedient to establish restrictions on the use of water, this Bylaw will come into effect 24 hours after instruction of Council.

The Village of Buena Vista enacts as follows:

1 - Definitions:

- 1.1 **CAO** means Chief Administrative Officer
- 1.2 **Municipality** means the Village of Buena Vista
- 1.2 **Person** includes a natural individual, corporation, association, or partnership.

2 - Standard Watering Restrictions:

2.1 No person shall use the municipal water from a hose, pipe sprinkler or permanent irrigation system for the purpose of watering any lawn, garden, or the washing of vehicles, water craft, sidewalks, driveways, patios, decks and windows or the filling of swimming pools and hot tubs except as follows:

- (a) An even numbered address may use water outdoors only on even numbered days of the month;
- (b) An odd numbered address may use water outdoors only on odd numbered days of the month;
- (c) Outdoor water use will only be permitted between the hours of 6:00 am and 10 am and 6 pm and 10 pm;
- (d) That these conditions be in place between May 1st and September 30th of each year;
- (e) Exemptions to these restrictions are provided in Schedule "A" attached.

3 - Stage 1 Outdoor Water Use Advisory:

3.1 Where the CAO gives notice that a Stage 1 Outdoor Water Use Advisory is declared, all persons will be requested to stop using municipal water from a hose, pipe, sprinkler, or permanent irrigation system for the purpose of:

- (a) watering lawns and gardens;
- (b) washing vehicles, water craft, sidewalks, patios, decks, windows, or driveways;
- (c) filling swimming pools or hot tubs.

3.2 Exemptions to the Stage 1 restrictions are provided in Schedule "A" attached.

4 - Stage 2 Outdoor Water Use Ban:

4.1 Where the CAO gives notice that a Stage 2 Outdoor Water Use Ban is declared, no person shall use municipal water from a hose, pipe, sprinkler, or permanent irrigation system for the purpose of:

- (a) watering lawns and gardens;
- (b) washing vehicles, water craft, sidewalks, patios, decks, windows, or driveways;
- (c) filling swimming pools or hot tubs.

4.2 Exemptions to the Stage 2 restrictions are provided in Schedule "A" attached.

5. Enforcement:

This Bylaw shall be enforced by the appointed Bylaw Officer or any officer designated by Council.

6. Penalty:

6.1 Any person who violates, or causes, or allows any of the provisions of this Bylaw to be violated shall be deemed guilty of an offence and on notification shall be liable to the following penalty on summary conviction.

- a. A standard five hundred dollar (\$500) fine for each individual offence.
- b. One thousand dollars (\$1,000) during a Stage 1 Advisory.
- c. One thousand five hundred dollars (\$1,500) during a Stage 2 Ban.

6.2 A violator of this bylaw upon being served with a Notice of Violation, may, during office hours, pay the penalty at the Village office, that person shall not be liable to prosecution for the offence.

6.3 Conviction of a person or company for breach of any provision of this bylaw shall not relieve him from compliance therewith.

7. Coming into force:

This bylaw shall come into effect on the final reading.

Mayor

Chief Administrative Officer

Read a first time this 26th day of May, 2015
Read a second time this 26th day of May, 2015
Read a third time and adopted this 26th day of May, 2015

SCHEDULE "A"
Exemptions and Special Cases

1. Exempt Users

The provisions of the Bylaw shall not apply to persons who own, operate or carry on the following operations, which rely on the steady supply and use of water:

- (a) all weather playing fields, if failure to water will result in a permanent loss of plant material or adversely affect public safety
 - (b) washing exterior building surfaces, including windows, parking lots, driveways, or sidewalks prior to the application of a product such as paint, preservative, stucco, or the preparation of a surface prior to paving or rejoining of bricks, or if required by law to comply with health and safety regulations
 - (c) Village operated recreational facilities
 - (d) other users as identified by the Village from time to time.
2. A person during a Stage 1 Advisory or Stage 2 Ban, may water flowers, shrubs, trees or vegetables on days other than, and including on, their designated Watering Day, provided the watering is done using a hand-held container.
3. A person may water new trees or shrubs during installation and for 24 hours following planting. Any subsequent watering must comply with the provisions of this By-law.
4. A person may water new sod or seed for up to one month following planting.
5. A person may refill a backyard residential pool with permission of the CAO for maintaining the integrity of the filtering system only.

Certified a true copy of
Bylaw No. 04-15 adopted
by resolution of Council on
the 26th day of May, 2015.

Chief Administrative Officer