

**THE DISTRICT OF INVERMERE**  
**BYLAW NUMBER 1297**

**A Bylaw to Prescribe Water Use Restrictions**

**WHEREAS** Council is authorized, pursuant to the *Community Charter* and the *Local Government Act* to engage in commercial, industrial and business undertakings;

**AND WHEREAS** the Water Utility Bylaw was established by Bylaw No. 1198;

**NOW THEREFORE**, the Council of the District of Invermere, in open meeting assembled, enacts as follows:

**PURPOSE**

1. The purpose of this Bylaw is to assist in the protection, preservation and maintenance of the water supply to users at all times by implementing water-use restrictions during times of limited supply. These restrictions are staged in accordance with the severity of supply limitations, and are generally applied to the use of sprinkler systems, whether automatic or manual. The use of hand-held watering devices with shut-off valves and the use of micro-irrigation or drip-irrigation systems is restricted only during the most severe of supply conditions. Nurseries, farms, orchards and vineyards are fully exempt.

**Interpretation**

2. **Definitions:**

In this Bylaw:

**“appliance”** means a device or mechanism, other than that owned and operated by the Municipality, in or through which water is piped or used for a domestic or commercial purpose;

**“boulevard”** means that portion of any highway other than the paved, improved or main traveled roadway, driveway or sidewalk, and includes any landscaped median;

**“bylaw enforcement officer”** means a person or persons appointed by Council to enforce this Bylaw;

**“Council”** means the Council of the District of Invermere;

**“Director of Municipal Works”** means the person appointed by council as the Director of Municipal Works for the District;

**“District”** means the District of Invermere;

**“exempted user”** means an owner or occupier of property identified in Schedule “C” as exempt from one or more of the regulations under this Bylaw;

**“farm”** means a parcel of land classified as farm land for assessment and taxation purposes;

**“micro-irrigation or drip-irrigation system”** means a system using irrigation components that consume less than 20 gallons per hour and operate at less than 25 psi to deliver water to the root zone of the plant material being irrigated;

**“Municipality”** means the District of Invermere;

**“newspaper”** has the same meaning as in the Local Government Act;

**“notice”** means a notice given under section 5 of this Bylaw;

**“nursery”** means a business in which flowers, plants, trees or shrubs are grown or displayed for sale;

**“occupier”** has the same meaning as in the Local Government Act;

**“orchard”** means a parcel of land classified as orchard (farm land) for assessment and taxation purposes;

**“owner”** has the same meaning as in the Local Government Act;

**“permit”** means a permit issued under Section 9(a) of this Bylaw;

**“public sector entity”** means federal and provincial government agencies, municipalities, school districts, universities, colleges and other schools;

**“restricted hours”** means between 4:00 a.m. and 10 a.m. and between 7:00 p.m. and 11:00 p.m.;

**“sprinkler”** means a sprinkler system or a hose connected to a sprinkler, but excludes a hand-operated hose equipped with a shut-off nozzle or a micro-irrigation or drip-irrigation system;

**“stage”** means the stages 1, 2 and 3 of water use restrictions prescribed by Schedule “A” of this Bylaw;

**“vehicle”** means a device, except a boat or a seaplane, in, on or by which a person or thing is or may be transported or drawn, except a device designed to be moved by human power;

**“water”** means water supplied by the District directly or indirectly to an owner or occupier;

**“water use restrictions”** means the restrictions prescribed by Schedule “A” of this Bylaw;

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

### **3. Prohibition**

(a) No person, being an owner or occupier of property in the Municipality, shall use water or cause water to be used contrary to the provisions of this Bylaw in effect at the time of use.

(b) 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 or over-watering plants or lawns.

- (c) No person, being an owner or occupier of property in the Municipality, shall damage or allow the deterioration of any appliance on that property which will result in a waste of water.

**3. Inspection**

A bylaw enforcement officer is authorized to enter at all reasonable times 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.

**4. Determining Restrictions**

The Director of Municipal Works shall determine the applicable stage of restrictions. The Determining of restrictions shall be based upon the condition of water reserves.

**5. Notice**

The Director of Municipal Works shall give notice or cause notice to be given to persons within the Municipality of the applicable stage and when it takes effect and that notice shall be published in a newspaper.

**6. Water Use Restrictions**

For the purposes of this Bylaw, the water use restrictions for each stage are prescribed in Schedule "A" of this Bylaw.

**7. Schedules**

Schedules "A", "B" and "C" of this Bylaw form part of and are enforceable in the same manner as this Bylaw.

**8. Penalty**

A person who contravenes this Bylaw commits an offence and is subject to a minimum of \$100 and a maximum of \$500 per offence in accordance with the Offence Act, and each day a contravention occurs is deemed a separate offence.

**9. Effective Date**

This Bylaw shall take effect upon the date of its adoption by the Council.

**10. Permits, Exemptions, and Special Cases**

- (a) The District may issue permits in the special cases and manner prescribed in Schedule "B".
- (b) Exemptions and special cases to the regulations in this Bylaw are prescribed in Schedule "C".
- (c) Exempted users and permit holders are exempted from Section 2(a) to the extent permitted by Schedule "C" and the conditions of the permit, where applicable.

**11. Citation**

This Bylaw may be cited as "Water Use Restrictions Bylaw Number 1297, 2006."

READ A FIRST TIME, this 23<sup>rd</sup> day of May, 2006.  
READ A SECOND TIME, this 23<sup>rd</sup> day of May, 2006.  
READ A THIRD TIME, this 23<sup>rd</sup> day of May, 2006.  
FINALLY RECONSIDERED AND ADOPTED, this 13<sup>th</sup> day of June, 2006.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

Certified a true copy of Bylaw No.  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

## **SCHEDULE "A"**

### **OUTDOOR WATER USE RESTRICTION STAGES**

#### **1. STAGE 1 – ALTERNATE DAYS WATERING**

If the Director of Municipal Works gives notice that, in accordance with a Council resolution, a reduction in water use is necessary requiring stage 1 restrictions, no person shall:

- (a) use a sprinkler to water a lawn, trees, and shrubs growing on a property that is:
  - (i) addressed with an odd house number except during restricted hours on odd numbered calendar days;
  - (ii) addressed with an even house number except during restricted hours on even numbered calendar days;
- (b) use an appliance, except a hand-operated hose equipped with a shut-off nozzle, or a micro-irrigation or drip-irrigation system to water trees, shrubs, flowers or vegetables on any day.

#### **2. STAGE 2 – TWICE A WEEK WATERING**

If the Director of Municipal Works gives notice that, in accordance with a Council resolution, a reduction in water use is necessary requiring stage 2 restrictions, no person shall:

- (a) use a sprinkler to water a lawn, trees, and shrubs growing on a property that is:
  - (i) addressed with an odd house number except during restricted hours on Mondays and Thursdays;
  - (ii) addressed with an even house number except during restricted hours on Tuesdays and Fridays.
- (b) use an appliance, except a hand-operated hose equipped with a shut-off nozzle, a hand-held container or a micro-irrigation or drip-irrigation system to water trees, shrubs, flowers or vegetables on any day.

#### **3. STAGE 3 – NO WATERING**

If the Director of Municipal Works gives notice that, in accordance with a Council resolution, a reduction in water use is necessary requiring stage 3 restrictions, no person shall:

- (a) use a sprinkler to water a lawn, trees and shrubs growing on a property and only use a hand-operated hose equipped with a shut-off nozzle, a hand-held container or a micro-irrigation or drip-irrigation system to water trees, shrubs, flowers or vegetables on a property that is:
  - (i) addressed with an odd house number except during restricted hours on odd numbered calendar days;
  - (ii) addressed with an even house number except during restricted hours on even numbered calendar days;

- (b) use an appliance, other than those referred to in subsection (a) of this section, to water trees, shrubs, flowers or vegetables on any day.
- (c) wash sidewalks or driveways at any time.
- (d) wash a vehicle or boat except by using a hand-held container;
- (e) operate or cause the operation of decorative fountains or ponds that do not use re-circulated water.

## **SCHEDULE "B"**

### **PERMITS**

1. A person who has installed a new lawn, either newly seeded or new sod, may apply to the District Office for a permit, in the form set out in this Bylaw, which will allow the new lawn to be sprinkled outside of watering days, but within restricted hours.
2. A permit issued under Section 1 of this Schedule shall be conspicuously displayed at the premises for which it was issued.
3. New sod may be sprinkled for 21 days after installation, and newly seeded lawn may be sprinkled until growth is established or for 49 days after installation, whichever is less, provided a permit pursuant to Section 1 has been issued for the premises at which the new lawn has been installed.
3. After expiration of a permit issued under Section 1, a person may apply for and may obtain subsequent permits under Section 1.
4. Permits will not be issued or be valid during stage 3 restrictions.

## **SCHEDULE "C"**

### **EXEMPTIONS AND SPECIAL CASES**

#### **1. EXEMPTED USERS**

The provisions of Schedule "A" shall not apply to persons who own, operate or carry on the following operations or activities that rely on the steady supply and use of water:

- (a) nurseries;
- (b) farms;
- (c) orchards;
- (d) vineyards;
- (e) washing exterior building surfaces including windows, parking lots, driveways or sidewalks prior to the application of a product such as paint, preservative, stucco or preparation of a surface prior to paving or repainting of bricks or if required by law to comply with health and safety regulations.

#### **2. NEW TREES AND SHRUBS**

A person may water new trees and shrubs during installation and for the following 24 hours, but after that 24-hour period, watering must comply with stage 1, 2 or 3 water use restrictions.

#### **3. PUBLIC SECTOR**

Public sector entities may during:

- (a) Stage 1, water lawns, boulevards and playing fields on any day at any time;
- (b) Stages 2 and 3, water lawns, boulevards and playing fields at any time, but no more often than every second day.



SCHEDULE "D"  
**WATER USE PERMIT**

Issued to: \_\_\_\_\_  
Name

\_\_\_\_\_  
Address

For:    ☐    **new lawn seed** (May be sprinkled until growth is established or for 49 days after installations)  
         ☐    **new lawn sod** (May be sprinkled for 21 days after installation)

Valid from: \_\_\_\_\_ to \_\_\_\_\_

☐    **Renewal** ( 1 renewal only)

Valid from: \_\_\_\_\_ to \_\_\_\_\_

**This Permit allows the holder to sprinkle on a daily basis between the following hours:**

4:00 a.m. to 10:00 a.m.  
7:00 p.m. to 11:00 p.m.

**ONLY** for the period as specified above

\_\_\_\_\_  
District of Invermere

**\*This Permit is to be displayed at the premises for which it was issued.**

**DISTRICT OF INVERMERE**  
914 – 8<sup>th</sup> Avenue  
PO Box 339  
Invermere, BC V0A 1K0

PH: 250. 342-9281      [info@invermere.net](mailto:info@invermere.net)

\*Permits will not be issued or valid during stage 3 restrictions.