

## VILLAGE OF ANMORE

### BYLAW NO. 550-2016

A bylaw to regulate water use and respond to water shortages in the Village of Anmore

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**WHEREAS**, pursuant to section 8 of the *Community Charter*, Council has the authority to enact bylaws that regulate, prohibit and impose requirements in relation to a municipal service;

**AND WHEREAS**, the Village has established and maintains a water distribution system, under Anmore Works and Services Bylaw No. 242-1988, as amended, and recognizes the need to provide an effective method of water conservation in the Village and has agreed to cooperate with the Greater Vancouver Water District to regulate the use of water supplied by the water distribution system;

**NOW THEREFORE**, the Council of the Village of Anmore, in open meeting assembled, enacts as follows:

#### 1. CITATION

This bylaw may be cited for all purposes as “Anmore Water Shortage Response Plan Bylaw No. 550-2016”.

#### 2. DEFINITIONS AND INTERPRETATION

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;

**Commissioner** means the Commissioner of the Greater Vancouver Water District;

**Manager of Development Services** means the Manager of Development Services of the Village of Anmore, and shall include their duly authorized designate;

**Manager of Corporate Services** means the Manager of Corporate Services of the Village of Anmore, and shall include their duly authorized designate;

**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;

**Permit** means a permit as issued under Part 5;

**Person** does not include a municipality, a regional district, the provincial government, or any other body appointed or created under an enactment of British Columbia or Canada;

**Public Announcement** means one or more notifications or public service announcements in any combination of two or more of the following:

- (a) a radio broadcast from a station that broadcasts to the Village; or
- (b) the Village's website located at the web address of [www.anmore.com](http://www.anmore.com); or
- (c) 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 Village at least once per week; or
- (d) a mail drop circular, distributed to households by unaddressed mail.

**Restriction Stage** means Stage 1 Restrictions, Stage 2 Restrictions, Stage 3 Restrictions, or Stage 4 Restrictions;

**Service** includes, but is not restricted to, both the supply of water delivered in any manner to any person, company or corporation and all pipes, taps, valves, connections and facilities used for the purpose of such supply of water;

**Stage 1 Restrictions** means the restrictions on water use described in sections 1.1 and 1.2 of Schedule A;

**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;

**Village** means the Village of Anmore

**Water** used as a noun means water supplied directly or indirectly by Greater Vancouver Water District, the City of Port Moody, or the Village of Anmore, whether or not mixed with rain water, gray water or recycled water;

**Water** used as a verb, and **Watering**, means the application or distribution of water (used as a noun) to lands or plants, but does not include the method known as 'drip irrigation'; and

**Water Restriction Announcement** means a Stage 1 Announcement, Stage 2 Announcement, a Stage 3 Announcement or a Stage 4 Announcement.

- 2.1 The schedules to this bylaw are integral parts of this bylaw.
- 2.2 The Manager of Development Services may delegate some or all of his/her powers and duties under this bylaw.

### **3. DECLARATION AND ANNOUNCEMENT OF RESTRICTION STAGES**

- 3.1
  - (a) The Commissioner may declare, in writing to the Manager of Corporate Services or the Manager of Development Services, 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 Village seventy-two hours after the Commissioner or the Manager of Corporate Services or the Manager of Development Services 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.
- 3.2 If no Restriction Stage is in force on May 15 of any year, Stage 1 Restrictions come into force on that date without prior declaration of the Commissioner or announcement under section 3.3.
- 3.3
  - (a) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 1 Restrictions, a public announcement by the Manager of Corporate Services or Manager of Development Services or the Commissioner is sufficient for the purposes of paragraph 3.1(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 Manager of Corporate Services or Manager of Development Services or the Commissioner is sufficient for the purposes of paragraph 3.1(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 Manager of Corporate Services or Manager of Development Services or the Commissioner is sufficient for the purposes of paragraph 3.1(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 Manager of Corporate Services or Manager of Development Services or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule E.
- 3.4
- (a) No Restriction Stage remains in force after October 15 of any year, unless the Commissioner makes a declaration under this section.
  - (b) At any time before or after October 15 of any year the Commissioner may, by letter to the Manager of Corporate Services or the Manager of Development Services, declare that notwithstanding subsection (a), a Restriction Stage will remain in force or come into force after October 15.
  - (c) Subsections 3.1(b), 3.1 (c) and section 3.3 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 October 15 will remain in force until further declaration of the Commissioner.
  - (d) The Commissioner may make one or more declarations under this section.

#### **4. FIRE CHIEF AUTHORITY**

In any area within the Village where the fire hazard rating has been set at “extreme” for a minimum of three consecutive days, the Fire Chief of Sasamat Volunteer Fire Department may issue a public announcement on behalf of the Village of Anmore to identify some or all of those areas within the Village as areas where the lawn sprinkling and garden watering regulations otherwise imposed under this bylaw will be suspended for the period specified in the notice, thereby allowing property owners and occupants to take the measures as specified by the Fire Chief in the public announcement to reduce the fire hazard to their property by watering their lawns and gardens. Authority is extended to the Fire Chief in accordance with Anmore Fire Prevention Bylaw No. 281-2000.

#### **5. PERMITS**

- 5.1 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 Manager of Development Services 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.

- 5.2 The Manager of Development Services, upon being satisfied that an applicant qualifies under section 5.1, shall issue a permit to the applicant using a form similar to the form set out in Schedule F, upon receipt of payment of a fee prescribed in the Anmore Fees and Charges Bylaw.
- 5.3 A permit issued under section 5.2 shall be affixed to a post facing the street serving the premises, beside the principal driveway from the street to the premises.
- 5.4 A permit issued under section 5.2 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 5.5.
- 5.5 Before or after the expiration of a permit issued under section 5.2 a person may apply for one extension of the permit on the same terms and conditions as may be imposed under section 5.2. Such an extension shall end on or before 42 days from the date of the issue of the permit under section 5.2.
- 5.6 A person who has treated a lawn by applying nematodes that requires additional watering outside of the allowable sprinkling restrictions may apply to the Manager of Development Services for a permit authorizing the person to water the affected area 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.
- 5.7 The Manager of Development Services, upon being satisfied that an applicant qualifies under section 5.6, shall issue a permit to the applicant similar in appearance to the form set out in Schedule G.
- 5.8 A permit issued under section 5.6 shall be affixed to a post facing the street serving the premises, beside the principal driveway from the street to the premises.
- 5.9 A permit issued under section 5.6 shall expire and be of no force or effect 14 days after the date of its issue.

## **6. OFFENCES AND PENALTIES**

- 6.1 Any Person who violates or contravenes any of the provisions of this bylaw, or suffers or allows to be done any act or thing that violates or contravenes this bylaw, commits an offence.
- 6.2 A prosecution under this bylaw may be commenced by:
- (a) proceedings under Division 3 of Part 8 of the *Community Charter*; or
  - (b) prosecution of the offence in accordance with the *Offence Act*.

- 6.3 If a prosecution is commenced pursuant to section 6.2(a), upon conviction the offender shall be liable to a fine of:
- (a) \$100 if the offence is committed when Stage 1 Restrictions are in force;
  - (b) \$200 if the offence is committed when Stage 2 Restrictions are in force;
  - (c) \$300 if the offence is committed when Stage 3 Restrictions are in force;
  - (d) \$400 if the offence is committed when Stage 4 Restrictions are in force;
- 6.4 Subject to section 6.5, if a prosecution is commenced pursuant to section 6.2(b), upon conviction the offender shall be liable to pay a fine:
- (c) for a first conviction for an offence, of not more than \$10,000 and not less than \$3,000; and
  - (b) for a second or subsequent conviction for an offence, of not more than \$10,000 and not less than \$5,000 for each offence.
- 6.5 Where a prosecution is commenced against a commercial entity pursuant to section 6.2(b) for an offence committed while Stage 4 restrictions are in effect, upon conviction that person shall be liable to pay a fine of not less than \$5,000.
- 6.6 Section 6.4(b) applies whether or not a second or subsequent conviction is for conduct that preceded the conduct that is the subject matter of the prosecution then before the court.
- 6.7 If an offence under this bylaw continues for more than one day, separate fines each not exceeding the maximum fine for that offence may be imposed for each day or part thereof in respect of which the offence occurs or continues.
- 6.8 In a prosecution under this bylaw the onus of establishing an exemption under subsections 1.2, 2.2, or 3.2 of Schedule A lies on the person claiming the exemption.

**REPEAL**

Adoption of this bylaw will repeal "Anmore Lawn Sprinkler Regulation Bylaw No. 356-2003" in its entirety.

**READ** a first time the 5th day of April, 2016

**READ** a second time the 5th day of April, 2016

**READ** a third time, as amended, the 19th day of April, 2016

**RECONSIDERED, FINALLY PASSED AND ADOPTED** the 3rd day of May, 2016

**J. McEWEN**

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MAYOR

**C. MILLOY**

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MANAGER OF CORPORATE SERVICES

Certified as a true and correct copy of "Anmore Water Shortage Response Plan Bylaw No. 550-2016".

**MAY 3, 2016**

\_\_\_\_\_  
DATE

**C. MILLOY**

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MANAGER OF CORPORATE SERVICES

**SCHEDULE A  
RESTRICTION STAGES**

**1. STAGE 1 RESTRICTIONS**

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

- (a) water lawns, except:
  - (i) at residential premises with even numbered civic addresses, on Mondays, Wednesdays and Saturdays between the hours of 4:00 a.m. and 9:00 a.m.;
  - (ii) at residential premises with odd numbered civic addresses, on Tuesdays, Thursdays and Sundays between the hours of 4:00 a.m. and 9:00 a.m.;
  - (iii) at non-residential premises with even numbered civic addresses, on Mondays and Wednesdays between the hours of 1:00 a.m. and 6:00 a.m., and Fridays between the hours of 4:00 a.m. and 9:00 a.m.; and
  - (iv) at non-residential premises with odd numbered civic addresses, on Tuesdays and Thursdays between the hours of 1:00 a.m. and 6:00 a.m., and Fridays between the hours of 4:00 a.m. and 9:00 a.m.
- (d) 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:

- (a) a person who waters lawns, waters landscaping or applies nematodes for chafer beetle control at a 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) school yards; or
  - (ii) flower gardens, vegetable gardens, decorative planters, shrubs or trees; and filling of pools, spas, water play parks and fountains.

**2. STAGE 2 RESTRICTIONS**

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

- (a) water lawns, except:
  - (i) at residential premises with even numbered civic addresses on Mondays between the hours of 4:00 a.m. and 9:00 a.m.;
  - (ii) at residential premises with odd numbered civic addresses on Thursdays between the hours of 4:00 a.m. and 9:00 a.m.;
  - (iii) at non-residential premises with even numbered civic addresses on Wednesdays between the hours of 1:00 a.m. and 6:00 a.m.; and
  - (iv) at non-residential premises with odd numbered civic addresses on Tuesdays between the hours of 1:00 a.m. and 6:00 a.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) 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.

2.2 Section 2.1 of this Schedule does not apply to:

- (a) a person who waters lawns, waters landscaping or applies nematodes for chafer beetle control at a 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:
  - (iii) school yards; or
  - (iv) flower gardens, vegetable gardens, decorative planters, shrubs or trees; and filling of pools, spas, water play parks and fountains; and
- (c) hosing of outdoor surfaces for the purpose of aesthetic cleaning, if performed by a commercial cleaning services, and must be done using an automatic shut-off device.

**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;
- (d) use a pressure washer or 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.
- (e) operate ornamental fountains;
- (f) use water to fill or re-fill garden ponds, ornamental fountains, hot tubs, or swimming pools; or
- (g) 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) school yards; and
- (b) exemption permits issued by the Manager of Development Services, to water new lawns or landscaping, or for nematode application, prior to the date on which the Commissioner declared Stage 3 restrictions to be in effect.

**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; or
  - (v) artificial turf.
- (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 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 or pressure washer 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; or
- (h) use water from a hose providing water unless the hose is equipped with an Automatic Shut-off Device.

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

- (a) school yards.

**SCHEDULE B**  
**INFORMATION FOR PUBLIC ANNOUNCEMENT OF STAGE 1 RESTRICTIONS**

Public Announcement of Stage 1 Restrictions is sufficient for the purposes of section 3.3 of this bylaw if it includes substantially the following information:

- (a) for residential premises with even numbered civic addresses, watering is only allowed on Mondays, Wednesdays and Saturdays between the hours of 4:00 a.m. and 9:00 a.m.;
- (b) for residential premises with odd numbered civic addresses, watering is only allowed on Tuesdays, Thursdays and Sundays between the hours of 4:00 a.m. and 9:00 a.m.;
- (c) for non-residential premises with even numbered civic addresses, watering is only allowed on Mondays and Wednesdays between the hours of 1:00 a.m. and 6:00 a.m., and on Fridays between the hours of 4:00 a.m. and 9:00 a.m.;
- (d) for non-residential premises with odd numbered civic addresses, watering is only allowed on Tuesdays and Thursdays between the hours of 1:00 a.m. and 6:00 a.m., and on Fridays between the hours of 4:00 a.m. and 9:00 a.m.;
- (e) that these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds; and
- (f) that when washing a boat or motor vehicle 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**

Public Announcement of Stage 2 Restrictions is sufficient for the purposes of section 3.3 of this bylaw if it includes substantially the following information:

- (a) for residential premises with even numbered civic addresses, watering is only allowed on Mondays between the hours of 4:00 a.m. and 9:00 a.m.;
- (b) for residential premises with odd numbered civic addresses, watering is only allowed on Thursdays between the hours of 4:00 a.m. and 9:00 a.m.;
- (c) for non-residential premises with even numbered civic addresses, watering is only allowed on Wednesdays between the hours of 1:00 a.m. and 6:00 a.m.;
- (d) for non-residential premises with odd numbered civic addresses, watering is only allowed on Tuesdays between the hours of 1:00 a.m. and 6:00 a.m.;
- (e) that these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds;
- (f) that hosing or pressure washing of outdoor surfaces is only allowable for health, safety, or preparing a surface for painting, sealing, or similar treatment, unless used by commercial cleaning services for aesthetic cleaning;
- (g) that ornamental fountains must be shut down;
- (h) that when washing a boat or motor vehicle 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**

Public Announcement of Stage 3 Restrictions is sufficient for the purposes of section 3.3 of this bylaw if it includes substantially the following information:

- (a) That lawn sprinkling is not allowed by homes or businesses, including use of sprinklers for playing;
- (b) That residential gardens, shrubs, trees and flower beds may only be watered by hand, by containers, or drip irrigation;
- (c) That residential (private) pressure washing is prohibited, and that commercial hosing or pressure washing is only allowed for health, safety or preparing a surface for painting;
- (d) That ornamental fountains must be shut down;
- (e) That hand washing of vehicles is restricted to features required for safety (i.e. windows, lights, license plates);
- (f) That refilling of private, commercial and public swimming pools is prohibited;
- (g) That when washing a boat or motor vehicle hoses must be equipped with an automatic shut-off device (e.g. a nozzle that shuts off automatically unless hand pressure is applied);
- (h) That exemption permits issued prior to the announcement of a Stage 3 Restriction shall remain valid.

**SCHEDULE E**  
**INFORMATION FOR PUBLIC ANNOUNCEMENT OF STAGE 4 RESTRICTIONS**

Public Announcement of Stage 4 Restrictions is sufficient for the purposes of section 3.3 of this Bylaw if it includes substantially the following information:

- (a) That lawn sprinkling by homes or businesses is prohibited, including using sprinklers for playing;
- (b) That watering of residential and commercial gardens, shrubs, trees and flower beds by any method is prohibited;
- (c) That drip irrigation is prohibited;
- (d) That private and commercial hosing or pressure washing is prohibited except if ordered by the Fire Chief or a regulatory authority;
- (e) That washing of vehicles using any method is prohibited except for features required for safety (windows, lights, license plates);
- (f) That ornamental fountains must be shut down;
- (g) That refilling of private, commercial and public garden ponds, ornamental fountains, hot tubs and swimming pools is prohibited; and
- (h) That the operation of water play parks is prohibited.

**SCHEDULE F**  
**SAMPLE TEMPORARY EXEMPTION PERMIT – NEW LAWN OR LANDSCAPING**

**THIS PROPERTY IS TEMPORARILY EXEMPT  
FROM CURRENT WATER RESTRICTIONS FOR NEW LAWN OR LANDSCAPING**

In compliance with Anmore Water Shortage Response Plan Bylaw No. 550-2016

**HOURS OF IRRIGATION WITH PERMIT**  
**4:00 A.M. TO 9:00 A.M. DAILY**

**PROPERTY OWNER**

**PROPERTY ADDRESS**

**EXPIRY DATE**

**PERMIT NUMBER**

L2016-

**APPROVED BY**

**FOR FURTHER INFORMATION PLEASE PHONE VILLAGE OF ANMORE STAFF AT 604-469-9877**

This permit **MUST BE DISPLAYED** in the front yard next to the principal driveway

This permit does not exempt the holder from Stage 3 or Stage 4 Restrictions

**SCHEDULE G**  
**SAMPLE TEMPORARY EXEMPTION PERMIT – NEMATODE TREATMENT**

**THIS PROPERTY IS TEMPORARILY EXEMPT**  
**FROM CURRENT WATER RESTRICTIONS FOR NEMATODE APPLICATION**

In compliance with Anmore Water Shortage Response Plan Bylaw No. 550-2016

**HOURS OF IRRIGATION WITH PERMIT**  
**4:00 A.M. TO 9:00 A.M. DAILY**

**PROPERTY OWNER**

**PROPERTY ADDRESS**

**EXPIRY DATE**

**PERMIT NUMBER**

N2016-

**APPROVED BY**

**FOR FURTHER INFORMATION PLEASE PHONE VILLAGE OF ANMORE STAFF AT 604-469-9877**

This permit **MUST BE DISPLAYED** in the front yard next to the principal driveway

This permit does not exempt the holder from Stage 3 or Stage 4 Restrictions