

**THE CORPORATION OF THE VILLAGE OF CLINTON**  
**Village of Clinton Outdoor Water Use Bylaw No. 544, 2016**

A Bylaw to provide for regulations governing water conservation within the Village of Clinton

- WHEREAS:** there is a desire to provide an effective method of water conservation within the Village;
- AND WHEREAS:** pursuant to section 8(2) of the Community Charter, S.B.C., 3003, c 26, as amended, Council has the authority by bylaw, to establish and regulate a service to all or part of the Village;
- NOW THEREFORE:** the Council of the Corporation of the Village of Clinton, in open meeting assembled, enacts as follows:

**1. TITLE**

This Bylaw may be cited as the "Village of Clinton Outdoor Water Use Bylaw No. 544, 2016".

**2. REPEAL**

The Village of Clinton Water Regulation Bylaw No. 415, 2004 Section 9 Water Restrictions is hereby repealed and any amendments thereto.

**3. DEFINITIONS**

- a. "Automatic Shut-Off" 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.
- b. "Boulevard" means the portion of the highway other than the paved, improved or main travelled roadway, driveway or sidewalk and includes any landscaped median
- c. "Bylaw Enforcement Officer" means a person appointed by Council to enforce bylaws on behalf of the Village including a peace officer.
- d. "Established Planting" means trees, shrubs, flowers and vegetables that have been planted for longer than thirty (30) days.
- e. "Exempted Person" means an Owner or Occupier of property identified in Schedule "A" as exempt from one or more of the regulations under this bylaw.
- f. "Fill" means to fill completely with water
- g. "In Ground Irrigation System" means an irrigation system where pipes are buried underground and sprinkler heads are spaced at chosen intervals to deliver Village water and timers are used to turn water on and off automatically.
- h. "Lawn" means ground, as around a house or in a garden or park, that is covered with grass.
- i. "Newly Planted" means trees, shrubs, flowers and vegetable that have been planted for less than thirty (30) days.
- j. "Notice" means a notice given in accordance with Schedule "B" of this bylaw.
- k. "Nursery" means a business in which flowers, plants, trees or shrubs are grown, sold or acquired for sale.
- l. "Over-watering" means to water in a manner that saturates the lawn, boulevard or landscaped area being watered and results in the Village water spreading onto areas beyond them.
- m. "Permit" means a permit issued under Section 8 of this bylaw
- n. "Public Authority" has the same meaning as defined in the Community Charter
- o. "Restricted Hours" means those time periods during which watering is permitted in this bylaw

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- p. "Sprinkler" means a device with perforations through which water issues from a hose for the purpose of watering but excludes soaker hoses.
- q. "Stage" means Stage 1, Stage 2, Stage 3 and Stage 4 of Water Use Restrictions prescribed in of this bylaw
- r. "Vehicle" means a device as defined in the Motor Vehicle Act.
- s. "Village" means the Village of Clinton
- t. "Village Water" means 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.
- u. "Waste" means using more water than is required to provide a service, produce a product or to complete a task.
- v. "Water Use Restrictions" means the restrictions prescribed in of this bylaw.
- w. "Watering Days" means those days during which watering is permitted in of this bylaw

**4. CONSERVATION OF VILLAGE WATER**

A person must not:

- a. Use Village water outdoors, except in accordance with this bylaw;
- b. Fail to promptly repair any damage to a device that results in the waste of Village water;
- c. Continue to use a device that, as a result of damage or deterioration, causes Village water to be wasted, or fail to promptly repair or replace any device that has deteriorated to that extent.
- d. Waste Village water by allowing a tap or hose to run unnecessarily: in relation to completing a task, providing a service or producing a thing; or by over watering a targeted lawn, boulevard or landscaped area.

**5. WATER CONSERVATION STAGES**

**STAGE ONE**

- a. Stage one outdoor watering times are restricted to the following times and days between June 1<sup>st</sup> to September 15<sup>th</sup> of each year:
  - i. For all properties on Village water, water for irrigation or sprinkling will be prohibited between the hours of 11:00 am (morning) and 7:00pm (evening)
  - ii. For property having an even-numbered civic address, watering permitted on the even days of the week
  - iii. For property having an odd-numbered civic address, watering permitted on the odd days of the week
- b. During Stage One, **no person shall** use Village water for outdoor watering:
  - i Use a hose providing Village water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device.
  - ii This section does not apply to:
    - 1. A person who waters lawns or landscaping at premises described holding a Village Permit, provided the person is and have been at all times in compliance with the Permit
    - 2. A person who hand waters their flower gardens, vegetable gardens, decorative planters, shrubs or trees using hoses equipped with automatic shut-off devices, and is not carried out using sprinklers or soaker hoses.

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3. Watering: of public sports playing fields; school yards; Village sponsored Community Gardens; Village properties.
4. Commercial car washes

**STAGE TWO**

- a. Stage two outdoor watering times are restricted to the following times and days between June 1<sup>st</sup> to September 15<sup>th</sup> of each year;
  - i. For all properties on Village water, water for irrigation or sprinkling will be prohibited between the hours of 9:00 am (morning) and 8:00 pm (evening)
  - ii. For property with even-numbered civic address, on Monday, and Thursday
  - iii. For property with odd-number civic address, on Tuesday and Friday
- b. During Stage Two, **no person shall** use Village water for outdoor watering:
  - i Use a hose providing Village water to wash boats or motor vehicles, unless the hose is equipped with an automatic shut-off device;
  - ii Use a hose providing Village water to wash sidewalks, walls, roofs or other outdoor surfaces, unless the hose is equipped with an automatic shut-off device and the purpose of the washing of the surface is to:
    1. To prepare a surface for painting, sealing or similar treatment; or
    2. For the health and safety of any Person, or to prevent or control fires
  - iii Operate ornamental fountains
- c. This Section does not apply to:
  - i A person who waters lawns or landscaping at premises described holding a Village Permit, provided the person is and have been at all times in compliance with the Permit.
  - ii A person who waters their flower gardens, vegetable gardens decorative planters, shrubs or trees including commercial properties.
  - iii Watering of public sports fields, school yards, and Village owned boulevards

**STAGE THREE**

- a. Stage three outdoor watering times are prohibited and **no person shall**:
  - i Water who holds a Village permit
  - ii Water lawns,
  - iii Flower gardens, vegetable gardens, decorative planters, shrubs or trees, unless such watering is carried out by hand with hoses equipped with automatic shut-off devices, and is not carried out using sprinklers or soaker hoses.
  - iv Operate a lawn sprinkler using Village water:
    1. Using a hose providing village water to wash sidewalks, driveways, walls, roofs or other outdoor surfaces
    2. To prepare a surface for painting, sealing or similar treatment; or
    3. For the health or safety of any Person, or to prevent or control fires.
  - v Operate ornamental fountains
  - vi Use water to fill or re-fill garden ponds, ornamental fountains, hot-tubs, or swimming pools;
  - vii Use a hose providing Village water unless the hose is equipped with an automatic shut-off device.

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- b. This Section does not apply to:
  - i. Watering of commercial vegetable or flower gardens; or where outdoor watering is required for safety reasons.

**STAGE FOUR**

- a. Stage 4 outdoor watering is prohibited and **no Person shall:**
  - i. For any reason unless permitted in writing by the Public Works Foreman

**6. COMPLIANCE**

- a. Every person must comply with the restrictions of the Stage that is in effect under this bylaw or as specifically set out in a Permit issued by the Village.

**7. DETERMINING FACTORS**

- a. In making a decision under the Stages in this Bylaw or in considering an application for a Permit, the Village Public Works Foreman or CAO, as applicable, may take into account relevant precipitation and weather patterns, geological or other natural conditions, the maximum daily flow of water from the Village water supply and distribution system projections of usage and any other factors that reasonably could impact the available supply of Village water over a particular time period.

**8. PERMITS**

- a. A person who applies for a Permit under this Bylaw must submit an application to the Village, in a form that is approved by the Village.
- b. On receiving an application for a Permit pursuant to this Bylaw the Public Works Foreman or CAO may issue a Permit in accordance with this bylaw.
- c. The Village may, by written notice to the holder of a Permit suspend, revoke or cancel a Permit if the Public Works Foreman or CAO considers the Permit is not being fully complied with.
- d. 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.
- e. A Permit issued under this Section must be available to the Bylaw Enforcement Officer or any person who is authorized by the Village Council to enforce the bylaw.

**9. ENFORCEMENT**

- a. This Bylaw may be enforced by the Public Works Foreman, CAO and/or Bylaw Enforcement Officer
- b. The Public Works Foreman, CAO and/or 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.
- c. This bylaw may be enforced:
  - i. By means of a ticket issued under the Village's Municipal Ticket Information Bylaw
  - ii. By prosecution under the Offence Act
  - iii. By way of a bylaw notice under the Bylaw Notice Enforcement Act and bylaw of the Village made under that Act; or

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iv By way of civil action as authorized by statute.

**10. CONTRAVENTION AND PENALTIES**

- a. A person who:
- i Contravenes, violates or fails to comply with any provision of this Bylaw;
  - ii Suffers or allows any act or thing to be done in contravention of this Bylaw; or fails or neglects to do anything required to be done under this Bylaw; or
  - iii Fails or neglects to do anything required to be done under this Bylaw or of any permit or order issued under this Bylaw, commits an offence and upon conviction, shall be liable to paying a fine of up to Ten Thousand Dollars (\$10,000) and to pay any further amounts that may be ordered under the Offence Act, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

**11. SEVERABILITY**

If any section, paragraph or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

**READ A FIRST TIME**

this 27<sup>th</sup> day of July, 2016.

**READ A SECOND TIME**

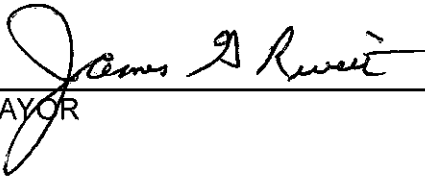
this 27<sup>th</sup> day of July, 2016.

**READ A THIRD TIME**

this 27<sup>th</sup> day of July, 2016.

**RECONSIDERED and FINALLY ADOPTED**

this 10<sup>th</sup> day of August, 2016.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CORPORATE OFFICER

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SCHEDULE "A"

**OUTDOOR WATERING PERMIT**

**THIS PROPERTY IS TEMPORARILY EXEMPT FROM CURRENT WATER RESTRICTIONS  
FOR THE PURPOSE AND COUNDITIONS OUTLINED IN THIS PERMIT**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

PURPOSE: \_\_\_\_\_

CONDITIONS: \_\_\_\_\_

\_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_

EXPIRES: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

This permit is allowed for Stage 1 and Stage 2 of the Village of Clinton Outdoor Water Use Bylaw No. \_\_\_\_\_, 2016

For Further Information Please Call: The Village of Clinton @ 250-459-2261

This permit must be available for inspection by any Village Bylaw Enforcement Officer.

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SCHEDULE "B"

PUBLIC ANNOUNCEMENT VILLAGE WATER SYSTEM RESTRICTIONS  
FOR THE VILLAGE OF CLINTON

**STAGE ONE**

**1. Outdoor Watering Restriction Times – Village Water System**

- a. Between June 1<sup>st</sup> to September 15<sup>th</sup> of each Year
- b. Watering for irrigation or sprinkling is prohibited between the hours of 11:00 am (morning) and 7:00 pm (evening)
- c. Even-numbered addresses – Even days of the Month
- d. Odd- numbered addresses – Odd days of the Month

**2. No Person Shall:**

- a. Use a hose unless the hose is equipped with an Automatic Shut-off Device (nozzle)

**3. Exemptions:**

- a. Any person who holds a valid Outdoor Watering Permit
- b. Any person who hand waters their gardens
- c. Any public sports playing fields, parks, school yards, community gardens & Village properties
- d. Commercial car washes

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SCHEDULE "B"

PUBLIC ANNOUNCEMENT VILLAGE WATER SYSTEM RESTRICTIONS  
FOR THE VILLAGE OF CLINTON

**STAGE TWO**

**1. Outdoor Watering Restriction Times – Village Water System**

- a. Between June 1<sup>st</sup> to September 15<sup>th</sup> of each Year
- b. Watering for irrigation or sprinkling is prohibited between the hours of 9:00 am (morning) and 8:00 pm (evenings)
- c. Even-numbered addresses – Monday and Thursday
- d. Odd-numbered addresses – Tuesday and Friday

**2. No Person Shall:**

- a. Use a hose unless the hose is equipped with an Automatic Shut-off Device (nozzle)
- b. Use a hose to wash sidewalks, walls, roofs or other outdoor surfaces, unless equipped with an Automatic Shut-off device (nozzle)
- c. Operate ornamental fountains

**3. Exemptions:**

- a. Any person who holds a valid Outdoor Watering Permit
- b. Any person who hand waters their gardens
- c. Watering of public sports playing fields, parks, school yards, community gardens & Village Properties.
- d. Commercial car washes



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SCHEDULE "B"

PUBLIC ANNOUNCEMENT VILLAGE WATER SYSTEM RESTRICTIONS  
FOR THE VILLAGE OF CLINTON

**STAGE THREE**

4. **Outdoor Watering Restriction Times – Village Water System**
  - a. No Sprinkling or watering of Lawns
  
5. **No Person Shall:**
  - a. Water even with a Permit
  - b. Operate a lawn sprinkler for any purpose
  - c. Operate ornamental fountains
  - d. Use water to fill or re-fill ponds, pools, hot tubs, or ornamental fountains
  
6. **Exemptions:**
  - a. Any person who hand waters their gardens
  - b. Watering of commercial vegetable or flower gardens; or where outdoor watering is required for safety reasons.

**STAGE FOUR**

**NO PERSON SHALL USE WATER FOR ANY OUTDOOR USE INCLUDING SPORTS  
PLAYING FIELDS, PARKS, VILLAGE PROPERTIES, AND SCHOOL YARDS  
UNLESS WRITTEN PERMISSION FROM THE PUBLIC WORKS FOREMAN.**