

BYLAW NO.545	
Bylaw name:	Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018, Amendment No. 1
Participants:	Electoral Area ‘C’ (Puntledge – Black Creek), Strathcona Regional District’s Electoral Area ‘D’ (Oyster Bay – Buttle Lake)
Purpose:	A bylaw to clarify stage 1 water use restrictions
Amends bylaw:	519
Repeals bylaw:	N/A
Staff contact:	Marc Rutten, General Manager of Engineering Services

STATUS	
Committee approval:	Black Creek – Oyster Bay Services Committee – June 18, 2018 “THAT the proposed changes to Schedule A of Bylaw No. 519 being the “Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018” be adopted.”
1st & 2nd readings:	June 26, 2018
3rd reading:	June 26, 2018
Ministry approval:	N/A
Final adoption:	

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 545

A bylaw to amend the Black Creek – Oyster Bay Water Conservation Bylaw

WHEREAS the Comox Valley Regional District (CVRD) adopted Bylaw No. 519 being “Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018” on April 24, 2018.

AND WHEREAS the board wishes to amend the bylaw to clarify water use restrictions;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Amendment

1. Bylaw No. 519 being “Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018” is hereby amended by replacing Schedule A with the attached Schedule A.

Citation

This Bylaw No. 545 may be cited for all purposes as “Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018, Amendment No. 1”.

Read a first and second time this	26th	day of	June	2018
Read a third time this	26th	day of	June	2018
Adopted this		day of		2018

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 545 being “Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018, Amendment No. 1” as adopted by the board of the Comox Valley Regional District on the day of 2018.

Corporate Legislative Officer

SCHEDULE 'A'

OUTDOOR WATER USE RESTRICTION STAGES

STAGE 1

1. During stage 1
 - (a) A person may only use a sprinkler to water a lawn growing on a property with:
 - (i) an even numbered address, between the hours of 5:00 a.m. and 8:00 a.m. and 7:00 p.m. and 10:00 p.m. on Tuesday, Thursday and Saturday. They may not use a sprinkler to water the lawn on any other day or time; and
 - (ii) an odd numbered address, between the hours of 5:00 a.m. and 8:00 a.m. and 7:00 p.m. and 10:00 p.m. on Wednesday, Friday and Sunday. They may not use a sprinkler to water the lawn on any other day or time.
 - (b) Local governments may use a sprinkler to water parks, ornamental lawns and grassed boulevards between the hours of 11:00 p.m. and 7:00 a.m. on even numbered days for even numbered addresses and odd numbered days for odd numbered addresses;
 - (c) A person may:
 - (i) water trees, shrubs, flowers, and vegetables on any day with a sprinkler during the prescribed hours for stage 1 lawn watering and on any day at any time if watering is done by hand held container or a hand held hose equipped with an automatic shut-off nozzle;
 - (ii) water newly planted trees, shrubs, flowers and vegetables by any method during installation and for the following 24 hours;
 - (iii) use micro-irrigation or drip-irrigation systems to water trees, shrubs, flowers, and vegetables at any time on any day;
 - (iv) under the authority of a permit, water new sod on installation and during the first 21 days after installation, and water newly seeded lawns until growth is established or for 49 days after installation, whichever is less, with a sprinkler but only during the prescribed stage 1 lawn watering hours, and at any time if watering is done by a hand held hose equipped with an automatic shut-off nozzle;
 - (v) water all-weather playing fields at any time if failure to do so will result in a permanent loss of plant material; and
 - (vi) wash a vehicle with water using a hand held container or hand held hose equipped with an automatic shut-off nozzle and at car dealerships or commercial car washes.
 - (vii) wash exterior windows and building surfaces with water using a hand held container or hand held hose equipped with an automatic shut-off nozzle
2. As exceptions to the stage 1 restrictions
 - (a) Owners or occupiers of property who, by reason of physical or mental incapacity, and where such incapacity has been documented by a medical practitioner, are unable to water their property within the restricted days and times, may water their property on any two days of the week for a maximum of nine hours per day;
 - (b) Nurseries, farms, turf farms, and tree farms are exempted from the restrictions;

- (c) Local government water parks and pools are exempt from the restrictions; and
- (d) owners or operators of golf courses may water
 - (i) trees, shrubs, flowers, and vegetables grown on golf courses in accordance with stage 1 sections 1 (c) (i), (ii), and (iii) of this schedule; and
 - (ii) fairways, golf greens and tees on any day if failure to do so will result in permanent loss of plant material.

SCHEDULE 'A' (continued)

STAGE 2

1. During stage 2
 - (a) A person may only use a sprinkler to water a lawn growing on a property with:
 - (i) an even numbered address, on Tuesday and Saturday between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m.. They may not use a sprinkler to water the lawn on any other day or time; and
 - (ii) an odd numbered address, on Wednesday and Sunday between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m.. They may not use a sprinkler to water the lawn on any other day or time.
 - (b) Local government may use a sprinkler to water parks, ornamental lawns and grassed boulevards between the hours of 11:00 p.m. and 7:00 a.m. on even numbered days for even numbered addresses and odd numbered days for odd numbered addresses;
 - (c) no person shall use water to wash sidewalks, driveways and parking lots except as necessary for applying a product such as paint, preservative and stucco, preparing a surface prior to paving or repointing bricks, or if required by law to comply with health or safety regulations; and
 - (d) a person may:
 - (i) water trees, shrubs, flowers, and vegetables with a sprinkler during the prescribed hours and days for stage 2 lawn watering and on any day at any time if watering is done by hand held container or a hand held hose equipped with an automatic shut-off nozzle;
 - (ii) water newly planted trees, shrubs, flowers and vegetables by any method during installation and for the following 24 hours;
 - (iii) use micro-irrigation or drip-irrigation systems to water trees, shrubs, flowers, and vegetables at any time on any day;
 - (iii) under the authority of a permit, water new sod on installation and during the first 21 days after installation, and water newly seeded lawns until growth is established or for 49 days after installation, whichever is less, with a sprinkler but only during the prescribed stage 2 lawn watering hours, and at any time if watering is done by a hand held hose equipped with an automatic shut-off nozzle;
 - (iv) water all-weather playing fields at any time if failure to do so will result in a permanent loss of plant material;
 - (v) wash exterior windows and building surfaces with water using a hand held container or hand held hose equipped with an automatic shut-off nozzle
 - (vi) wash a vehicle with water using a hand held container or hand held hose equipped with an automatic shut-off nozzle and at car dealerships and commercial car washes.

2. As exceptions to stage 2 restrictions

- (a) Owners or occupiers of property who, by reason of physical or mental incapacity, are unable to water their property within the restricted days and times, may water their property on one day per week for a maximum of nine hours per day;
- (b) Nurseries, farms, turf farms, and tree farms are exempted from the restrictions;
- (c) Local government water parks and pools are exempt from the restrictions;
- (d) Owners and operators of commercial pressure washing companies may use water but only as part of their normal business operations; and
- (e) Owners or operators of golf courses may water:
 - (i) fairways at any time on not more than two days per week;
 - (ii) trees, shrubs, flowers, and vegetables grown on golf courses in accordance with stage 2 sections 1 (d) (i), (ii), and (iii) of this schedule; and
 - (iii) golf greens and tees on any day if failure to do so will result in permanent loss of plant material.

SCHEDULE 'A' (continued)

STAGE 3 – NO LAWN WATERING

1. During stage 3
 - (a) no person shall
 - (i) water a lawn or boulevard;
 - (ii) fill or add water to a swimming pool, hot tub, or garden pond;
 - (iii) fill or add water to or operate a decorative fountain at any time;
 - (iv) wash a vehicle or a boat with water; or
 - (b) a person may
 - (i) water trees, shrubs, flowers, and vegetables on any day between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m if watering is done by hand-held container or a hand held hose equipped with an automatic shut-off nozzle;
 - (ii) water newly planted trees, shrubs, flowers and vegetables by hand held container or a hand held hose equipped with an automatic shut-off nozzle during installation and at any time during the following 24 hours after installation is completed;
 - (iii) use micro-irrigation or drip- irrigation systems to water trees, shrubs, flowers, and vegetables on any day between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m.;
 - (iv) water all-weather playing fields at any time, but only if failure to do so will result in a permanent loss of plant material; and
 - (v) use water to wash sidewalks, driveways, parking lots, exterior windows, or exterior building surfaces, but only if necessary for applying a product such as paint, preservative, and stucco, preparing a surface prior to paving or repointing bricks, or if required by law to comply with health or safety regulations.
2. As exceptions to the stage 3 restrictions
 - (a) nurseries, farms, turf farms, and tree farms are exempted from the restrictions;
 - (b) local government water parks and pools are exempt from the restrictions;
 - (c) local government may use a sprinkler to water parks, ornamental lawns and grassed boulevards between the hours of 11:00 p.m. and 7:00 a.m. on even numbered days for even numbered addresses and odd numbered days for odd numbered addresses;
 - (d) owners or operators of golf courses may water:
 - (i) fairways at any time on not more than one day per week;
 - (ii) trees, shrubs, flowers, and vegetables grown on golf courses in accordance with stage 3 sections 1 (b) (i), (ii), and (iii) of this schedule; and
 - (iii) golf greens and tees on any day if failure to do so will result in permanent loss of plant material.
 - (e) wading pools less than 200 centimeters in diameter may be filled with water up to a maximum depth of 30 centimeters; and
 - (f) vehicles and boats may be washed with water only at car dealerships and commercial car washes using less than 205 litres of water per vehicle wash or 50 percent recirculated

water as long as the total amount of water, excluding recirculated water, does not exceed 205 litres per vehicle wash.

SCHEDULE 'A' (continued)

STAGE 4 – EXTREME CONDITIONS

1. During stage 4 all use of water for any purpose other than drinking, food preparation and personal hygiene is prohibited.
2. Without limiting the generality of section 1, prohibited uses of water during stage 4 include the following:
 - (a) watering lawns, gardens, plants and trees in any manner or by any means, including watering by hand;
 - (b) filling or topping off or operating residential or commercial pools, hot tubs or ponds or fountains;
 - (c) operating local government outdoor water parks and pools;
 - (d) washing vehicles, boats or outdoor surfaces;
 - (e) irrigating golf courses and other public and/or school district property.
3. Where reasonably possible, swimming pools, hot tubs, fountains and ponds should be drained for health and safety purposes and such water used for irrigation.
4. No new lawn permit shall be issued during stage 4, and no new lawn permit, whenever issued, shall be valid during stage 4.
5. As exceptions to stage 4 restrictions,
 - (a) spot cleaning of vehicles and boats with a sponge and bucket for health and safety reasons (windows, lights, license plates, etc.) is permitted;
 - (b) local government water main and hydrant maintenance is permitted, but only for unscheduled safety or public health reasons;
 - (c) irrigating local government all-weather playing fields;
 - (d) water use is permitted for farm and agricultural operations, but only for livestock drinking purposes and for no other purpose;
 - (e) cleaning outdoor surfaces is only authorized when required by law to comply with health or safety regulations, or to comply with an order of a regulatory authority having jurisdiction, such as WorkSafeBC or a public health inspector;
 - (f) water use is permitted for firefighting.

SCHEDULE 'B'

PERMITS

1. During stage 1 and 2, a person/resident in the service area who has installed a new lawn, either newly seeded or new sod, may apply to the Comox Valley Regional District for a permit (a “new lawn permit”), which will allow the new lawn to be sprinkled with water outside of permitted days, but within the restricted hours. The permit shall be conspicuously displayed at the premises for which it was issued.
2. The Comox Valley Regional District may issue a permit to an applicant pursuant to section 1 and 2 upon payment to the Comox Valley Regional District of a fee in the amount of \$30.00.
3. New sod may be watered for 21 days after installation and newly seeded lawn may be watered 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.
4. Permits will not be issued or be valid during stage 3 or 4 restrictions.
5. The permit is to take the form of the following example

Black Creek- Oyster Bay Water Local Service Area– Lawn Sprinkling Permit (pursuant to Comox Valley Regional District Bylaw No. 519)			
Name:		This permit is issued for	
Street Address (location of permit):		NEW SOD	
		or	
		NEWLY SEEDED LAWN	
		Permit issue date	
		Installation date	
Permit conditions:			
<ol style="list-style-type: none"> 1. If this permit is issued for new sod, the permit is valid for 21 days after the date of installation. 2. If this permit is issued for newly seeded lawn, the permit is valid for 49 days after date of installation or until growth is established whichever is less. 3. During the term of the permit, the permit holder may sprinkle the new sod or newly seeded lawn between the hours of 5:00 a.m. to 8:00 a.m. and 7:00 p.m. to 10:00 p.m. during stage one restrictions, between the hours of 6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. during stage two restrictions and at any time if watering is done by a hand held hose equipped with an automatic shut-off nozzle. 4. This permit is to be prominently displayed at the residence for which the permit is issued. 5. This permit is not valid during stage 3 or 4 water restrictions. 			
Original to permit holder. Retain copy for local government records. Fee paid \$30.00.			