

**DATE:** June 13, 2018

**FILE:** 5620-00

**TO:** Chair and Members  
Black Creek/ Oyster Bay Services Committee

Supported by Russell Dyson  
Chief Administrative Officer

**FROM:** Russell Dyson  
Chief Administrative Officer

*R. Dyson*

**RE: Black Creek – Oyster Bay Water Conservation Bylaw- Minor Amendment**

**Purpose**

To adopt a minor amendment to the Black Creek – Oyster Bay (BCOB) water conservation bylaw, to reduce confusion of activities allowed within stage one restrictions.

**Recommendation from the Chief Administrative Officer:**

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.

**Executive Summary**

In April 2018 a water conservation bylaw was adopted for the BCOB Water Local Service Area. Schedule ‘A’ of the bylaw outlines the water use restrictions permitted within each stage. The wording within the current bylaw for stage one is incorrect and confusing to residents. Attached as Appendix A, is the proposed changes to Schedule ‘A’.

The bylaw currently lists a number of activities that are permitted to be allowed within each stage of restrictions. However the current bylaw reads “no person shall use water...” for the listed activities in stage one and then lists the majority of the same activities as being allowed in stage two, a more restrictive stage. The line is incorrect and should be replaced with “a person may use water...” Additionally, a seventh bullet that was missed under this section for activities a person may do has been added, the bullet is shown in stage two restrictions but missing from stage one. This report serves to replace the incorrect phrase within the bylaw, so that the bylaw is clear, reads correctly and does not confuse residents.

Prepared by:

Concurrence:

Concurrence:

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**Stakeholder Distribution (Upon Agenda Publication)**

None.	✓
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Attachments: Appendix A – “Proposed Changes to Schedule ‘A’ ”

**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 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~~
    - (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;
    - (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 2 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;
    - (vi) wash exterior windows and building surfaces with water using a hand held container or hand held hose equipped with an automatic shut-off nozzle
    - (vii) 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.