

CITY OF WEST KELOWNA

BYLAW NO. 0188

A BYLAW FOR THE REGULATION OF OUTDOOR
WATER USAGE FROM MUNICIPAL SERVICES

WHEREAS the City of West Kelowna operates municipal services providing water to properties within the City of West Kelowna; and

WHEREAS the Council of the City of West Kelowna may, by bylaw, regulate and impose requirements in relation to the use of water from these municipal services;

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as the “CITY OF WEST KELOWNA OUTDOOR WATER USE REGULATIONS BYLAW NO. 0188, 2015.”

2. Definitions

Appliance means a device or mechanism, other than that owned and operated by the City, in or through which water is piped or used for a domestic or commercial purpose.

Bylaw Enforcement Officer means a person appointed by Council as a Bylaw Enforcement Officer.

City means the City of West Kelowna.

Council means the Council of the City of West Kelowna.

Farm means a parcel of land classified as farm land for assessment and taxation purposes including but not limited to nurseries, orchards, and vineyards.

General Manager means the General Manager of Engineering and Public Works for the City or designate.

Large Properties means properties that are more than 0.4 ha. (1 acre) in size.

Large Strata Properties means the common area more than 0.4 ha. (1 acre) in size.

Nurseries mean a business in which flowers, plants, trees or shrubs are grown or displayed for sale.

Sprinkler means a sprinkler system or a hose connected to a sprinkler, or a micro-irrigation or drip irrigation system.

Vehicle means, but is not limited to, any motorized means of transportation, boats, and trailers.

3. Applicability

This bylaw shall apply to all works owned and operated by the City.

4. Delegation of Authority

The General Manager is hereby authorized to determine the applicable watering stages, to impose regulations on water usage, and to provide notice of water regulations to be published in a newspaper.

5. Prohibitions

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

6. Imposition of Watering Regulations

The General Manager shall determine when the applicable stages of watering regulations will be imposed and will provide notice to affected users.

7. 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.

8. Notice

The General Manager shall give notice or cause notice to be given to persons within the City of the applicable stage of watering regulations and when that stage will be imposed, and provide notice to affected users.

9. Water Use Regulations

For the purposes of this Bylaw, the water use regulations for each stage are prescribed in Schedule "A", attached to and forming part of this Bylaw.

10. New Lawns and Landscaping

A person may water new lawns and landscaping during installation and for a period of 14 consecutive days immediately following installation. However, no sprinkling is permitted between the hours of 11:00 a.m. and 6:00 p.m. on any day.

11. 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) Farms;
- (b) Sports Fields;
- (c) Cemeteries;
- (d) Spray Parks;
- (e) Washing exterior building surfaces including windows, 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.

12. If any section, subsection, sentence, clause or phrase of this bylaw is deemed invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

Water service is provided on the condition that the Owner indemnify and save harmless the City, its Council, officers, agents and employees in respect of all claims arising from the provision of the water service.

The regulations contained within this Bylaw take precedence over any other related provisions in the Lakeview Irrigation District "Water Distribution Regulation Bylaw No. 290" and the Westbank Irrigation District "Ordinary Water Use Regulations and Residential and Commercial Underground Sprinkling System Bylaw" No. 635.

READ A FIRST, SECOND AND THIRD TIME THIS 28th DAY OF JULY, 2015
ADOPTED THIS 11TH DAY OF AUGUST, 2015

' DOUG FINDLATER '

M A Y O R

' TRACEY BATTEN '

C O R P O R A T E O F F I C E R

Schedule A

Outdoor Water Use Regulations

1. General:

- a) Outdoor water use regulations apply to all properties within the City of West Kelowna, except Exempted Users.
- b) Stage 1 sprinkling regulations are continuously in effect throughout the year, except when Stages 2, 3, or 4 are in effect.
- c) Sprinkling is not permitted between the hours of 11:00 a.m. and 6:00 p.m. during any day.
- d) Only one outlet (outside tap) may be used at one time for sprinkling.
- e) Using an open pipe or hose for irrigating purposes is prohibited.
- f) Hand watering of all landscape plant materials and vegetable plantings, excluding lawns, is permitted, except in Stage 4.
- g) Properties that have both unit numbers and street numbers will adhere to the following guidelines:
 - Units that have control of their own irrigation systems may water based on their unit number;
 - Common areas within a complex may water on the days that correspond with the street number of the complex;
 - Large properties and large strata properties may split their common area watering between odd and even days due to the large area they cover.

2. Sprinkling Regulations:

2.1 Stage 1

a) Days of Watering:

Sprinkling is only permitted as follows:

- Even numbered addresses on Even Calendar Days
- Odd numbered addresses on Odd Calendar Days

b) Automatically Controlled Sprinkling Systems:

Properties equipped with an automated time clock sprinkler system may only sprinkle between the hours of 12:00 midnight to 6:00 a.m. on the days permitted by the sprinkling regulations as described above.

c) Manually Controlled Sprinklers:

Properties equipped with manually controlled sprinkling systems, including those attached to outside taps, may only operate from 12:00 midnight to 11:00 a.m. and from 6:00 p.m. to 12:00 midnight on the days permitted by the sprinkling regulations as described above.

2.2 Stage 2

a) Days of Watering:

Sprinkling is only permitted as follows:

- Even numbered addresses on Saturdays and Tuesdays

- Odd numbered addresses on Sundays and Wednesdays

b) Automatically Controlled Sprinkling Systems:

Properties equipped with an automated time clock sprinkler system may only sprinkle between the hours of 12:00 midnight to 6:00 a.m. on the days permitted by the sprinkling regulations as described above.

c) Manually Controlled Sprinklers:

Properties equipped with only manually controlled sprinkling systems, including those attached to outside taps, may only operate from 12:00 midnight to 11:00 a.m. and from 6:00 p.m. to 12:00 midnight on the days permitted by the sprinkling regulations as described above.

2.3 **Stage 3**

a) Days of Watering:

Sprinkling is only permitted as follows:

- Even numbered addresses on Saturdays
- Odd numbered addresses on Sundays

b) Automatically Controlled Sprinkling Systems:

Properties equipped with an automated time clock sprinkler system may only sprinkle between the hours of 12:00 midnight to 6:00 a.m. on the days permitted by the sprinkling regulations as described above.

c) Manually Controlled Sprinklers:

Properties equipped with only manually controlled sprinkling systems, including those attached to outside taps, may only operate from 12:00 midnight to 11:00 a.m. and from 6:00 p.m. to 12:00 midnight on the days permitted by the sprinkling regulations as described above.

d) No Person Shall:

- i) Fill a swimming pool, hot tub, garden pond, or decorative fountain at any time;
- ii) Wash a vehicle with water;
- iii) Wash driveways or sidewalks

2.4 **Stage 4**

a) No person shall use water outdoors for any purpose.