



THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 3768

A Bylaw for Responding to Water Shortages in the City of Port Coquitlam

The Municipal Council of The Corporation of the City of Port Coquitlam, in an open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited as the "Water Shortage Response Plan Bylaw, 2011, No. 3768".

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.

Director of Engineering and Operations means the Director of Engineering and Operations for the City of Port Coquitlam, duly appointed by the City of Port Coquitlam Council 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.

Lawns includes grass growing at cemeteries.

Permit means a permit issued under Part 4.

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

Public Announcement means one or more advertisements or public service announcements in any one of:

- (i) a television or radio broadcast from a station that broadcasts to the City of Port Coquitlam;

- (ii) 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 City of Port Coquitlam at least once per week.

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 1.

Stage 2 Restrictions means the restrictions on Water use described in sections 2.1 and 2.2 of Schedule 1.

Stage 3 Restrictions means the restrictions on Water use described in sections 3.1 and 3.2 of Schedule 1.

Stage 4 Restrictions means the restrictions on Water use described in sections 4.1 and 4.2 of Schedule 1.

Water used as a noun means water supplied directly or indirectly by Greater Vancouver Water District or the City of Port Coquitlam, whether or not mixed with rain water, gray water or recycled water.

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

Water Play Park means a recreational facility that is primarily out of doors, that includes water slides longer than 10 meters;

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 Director of Engineering and Operations may delegate some or all of his or her powers and duties under this Bylaw.

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

3.1 (a) The Commissioner may, by letter to the Corporate Officer, declare 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 City

of Port Coquitlam seventy-two hours after the Commissioner or the Corporate Officer 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 June 1st 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 Corporate Officer or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule “2”.
 - (b) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 2 Restrictions, a Public Announcement by the Corporate Officer or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule “3”.
 - (c) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 3 Restrictions, a Public Announcement by the Corporate Officer or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule “4”.
 - (d) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 4 Restrictions, a Public Announcement by the Corporate Officer or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule “5”.
- 3.4
- (a) No Restriction Stage remains in force after September 30th of any year, unless the Commissioner makes a declaration under this section.
 - (b) At any time before or after September 30th of any year the Commissioner may, by letter to the Corporate Officer declare that notwithstanding subsection (a), a Restriction Stage will remain in force or come into force after September 30th.
 - (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 September 30th will remain in force until further declaration of the Commissioner.
 - (d) The Commissioner may make one or more declarations under this section.

4. SERVICE WITHHELD FOR NONCOMPLIANCE WITH BYLAW

- 4.1 The Director of Engineering and Operations may withhold the water service from any person, company or corporation who has violated any of the provisions of this Bylaw, or any conditions imposed by or pursuant to this Bylaw.
- 4.2 Where the water service is withheld for noncompliance with the terms and conditions of this Bylaw as per section 4.1, the Director of Engineering and Operations shall not permit a reconnection for any person, company or corporation until in receipt of the service charge in the amount of One Hundred (\$100.00) Dollars for both the disconnection and subsequent reconnection of the water service.

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 Director of Engineering and Operations 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 Director of Engineering and Operations, upon being satisfied that an applicant qualifies under section 5.1, shall issue a Permit in the form set out in Schedule "6" to the applicant upon payment of a fee in the amount of \$30.00 with an optional extension fee of \$10.00.
- 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.

6. OFFENCES AND PENALTIES

- 6.1 Every 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 paragraph 6.2(a), upon conviction the offender shall be liable to a fine of:
- (a) \$75 if the offence is committed when Stage 1 Restrictions are in force;
 - (b) \$100 if the offence is committed when Stage 2 Restrictions are in force;
 - (c) \$200 if the offence is committed when Stage 3 Restrictions are in force; or
 - (d) \$300 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:
- (a) for a first conviction for an offence, of not more than \$10,000 and not less than \$3,000;
 - (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 1 lies on the Person claiming the exemption.

7. **REPEAL**

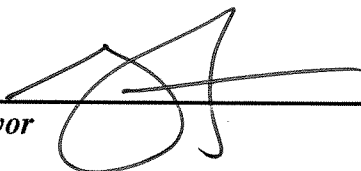
“Water Shortage Response Plan Bylaw, 2005, No. 3452”, as amended, is hereby repealed.

Read a first time for the Municipal Council this 13th day of June, 2011

Read a second time for the Municipal Council this 13th day of June, 2011

Read a third time for the Municipal Council this 13th day of June, 2011

Adopted by the Municipal Council of the Corporation of the City of Port Coquitlam this 27th day of June, 2011.



Mayor



Corporate Officer

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SCHEDULE 1

I. 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.
- (b) 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 or landscaping at 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) public sports playing fields;
 - (ii) school yards;
 - (iii) the playing surfaces of golf courses;
 - (iv) turf at turf farms;
 - (v) artificial turf or outdoor race tracks where watering is required for dust control or safety; and,
 - (vi) flower gardens, vegetable gardens, decorative planters, shrubs or trees.
- (c) commercial car washes; and,
- (d) filling of pools, spas, water play parks and fountains.

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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.
- (d) Pressure washing except to prepare a surface for painting, sealing or similar treatment.
- (e) operate ornamental fountains.

2.2 Section 2.1 of this Schedule does not apply to:

- (a) a Person who Waters Lawns or landscaping at 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) public sports playing fields;
 - (ii) school yards;
 - (iii) the tee-off areas and putting greens of golf courses;
 - (iv) turf at turf farms;
 - (v) flowers or vegetables at commercial vegetable or flower gardens;
 - (vi) artificial turf or outdoor race tracks where watering is required for dust control or safety; or

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- (c) flower gardens, vegetable gardens, decorative planters, shrubs or trees.
- (d) commercial car washes.

3. STAGE 3 RESTRICTIONS

3.1 Subject to section 3.1 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;
- (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.
- (d) pressure washing except to prepare a surface for painting, sealing or similar treatment;
- (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.

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3.2 Section 3.1 of this Schedule does not apply to:

- (a) Watering:
 - (i) turf at turf farms;
 - (ii) public sports playing fields;
 - (iii) school yards;
 - (iv) the tee-off areas and putting greens of golf courses, provided that water is used only to the extent necessary to maintain the viability of the grass in those areas;
 - (v) flowers or vegetables at commercial vegetable or flower gardens; or
 - (vi) artificial turf or outdoor race tracks if such Watering is required for dust control or safety.
- (b) commercial car washes.

4. STAGE 4 RESTRICTIONS

4.1 Subject to section 4.1 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;
 - (v) artificial turf; or
 - (vi) outdoor tracks.
- (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 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;

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- (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;
- (h) use Water from a hose providing Water unless the hose is equipped with an Automatic Shut-off Device; or
- (i) operate a car wash.

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

- (i) golf courses;
- (ii) turf farms;
- (iii) sports playing fields; and
- (iv) school yards.

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SCHEDULE 2

INFORMATION FOR PUBLIC ANNOUNCEMENT OF STAGE 1 RESTRICTIONS

A 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:

-
- 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.
- 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.
- 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 Fridays between the hours of 4:00 a.m. and 9:00 a.m.
- 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 Fridays between the hours of 4:00 a.m. and 9:00 a.m.
- That these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds.
- That when washing a boat or motor vehicle other than at commercial car wash, water hoses must be equipped with an automatic shut-off device (eg., a nozzle that shuts off automatically unless hand pressure is applied).

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SCHEDULE 3

INFORMATION FOR PUBLIC ANNOUNCEMENT OF STAGE 2 RESTRICTIONS

A 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:

- 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.
- 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.
- 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.
- 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.
- That these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds.
- That hosing or pressure washing of outdoor surfaces is only allowable for health, safety or preparing a surface for painting, sealing, or similar treatment;
- That decorative fountains must be shut down.
- That when washing a boat or motor vehicle other than at commercial car wash, water hoses must be equipped with an automatic shut-off device (eg., a nozzle that shuts off automatically unless hand pressure is applied).

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SCHEDULE 4

INFORMATION FOR PUBLIC ANNOUNCEMENT OF STAGE 3 RESTRICTIONS

A 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:

- That lawn sprinkling is not allowed by homes or businesses.
- That residential and most commercial gardens, shrubs, trees and flower beds may only be watered by hand, by containers or drip irrigation.
- That private (residential) pressure washing is prohibited, and that commercial hosing or pressure washing is only allowed for health, safety or preparing a surface for painting.
- That decorative fountains must be shut down.
- That hand washing of vehicles is restricted to features required for safety (windows, lights, licenses).
- That refilling of private, commercial and public swimming pools is prohibited
- That when washing a boat or motor vehicle other than at commercial car wash, water hoses must be equipped with an automatic shut-off device (eg., a nozzle that shuts off automatically unless hand pressure is applied).

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SCHEDULE 5

INFORMATION FOR PUBLIC ANNOUNCEMENT OF STAGE 4 RESTRICTIONS

A 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:

- That lawn sprinkling by homes or businesses is prohibited, including using sprinklers for children's play.
- That watering of residential and commercial gardens, shrubs, trees and flower beds by any method is prohibited.
- That drip irrigation is prohibited.
- That private and commercial hosing or pressure washing is prohibited except if ordered by a regulatory authority.
- That washing of vehicles using any method is prohibited except for features required for safety (windows, lights, licenses), including at commercial car washes.
- That decorative fountains must be shut down.
- That refilling of private, commercial and public garden ponds, ornamental fountains, hot-tubs and swimming pools is prohibited.
- That the operation of Water Play Parks is prohibited.



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SCHEDULE 6

SPRINKLER PERMIT APPLICATION

Applicant Information
(filled out by applicant)

Applicant Name: _____
(if company, insert company name and representative applying on behalf of company)

Applicant Address: _____

Home Phone: _____ Daytime Phone: _____

Permission for Use: This permit is issued during the water restriction period June 1st to September 30th where the limited hours of sprinkler use is inadequate to support new lawn or landscaping. The applicant is authorized for sprinkler use for three hours on any day of the week between the hours of 4:00 am and 9:00 am and 7:00 pm to 10:00 pm..

I have read, understood and will comply with the requirements in this permit and Part 5: Permits of the City of Port Coquitlam's Water Shortage Response Bylaw No. 3768.

Signature of Applicant: _____ Date: _____

Office Use Only [] Approved [] Denied
[] Permit Fee \$30.00 (Valid for 21 days from date of issuance)
[] Extension Fee \$10.00 (One extension - valid for 42 days from date of issuance)
Date Paid: _____
Receipt No.: _____
[] Entered on W:\Engineering\City\Sprinkling Permit\2005 Sprinkling Permit

Permit Expiry Date: _____

Director of Engineering and Operations