

**VILLAGE OF BARONS
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 757

A BYLAW OF THE VILLAGE OF BARONS, IN THE PROVINCE OF ALBERTA, TO GOVERN THE WATER USE AND WATER CONSERVATION MEASURES DURING EVENTS OF WATER SHORTAGE.

WHEREAS pursuant to the provisions of the Municipal Government Act, Statutes of Alberta, RSA 2000 and amendments thereto, Council may pass a Bylaw for the provision and regulation of a water utility within the Village of Barons.

WHEREAS Council deems it appropriate to prepare a water conservation Bylaw that requires the water be conserved and utilized in an efficient manner with the provisions of this Bylaw.

NOW THEREFORE THE COUNCIL OF THE VILLAGE OF BARONS, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be referred to as the “Water Conservation Bylaw.”

2. PURPOSE AND DEFINITIONS

The purpose of this Bylaw is to promote the efficient use of water in the community and reduce water waste.

3. DEFINITIONS:

- a) “Bulk Water Station” means the facility for the sale of potable water on a bulk basis.
- b) “CAO” means Chief Administrative Officer who is appointed to the position and title by Council and includes any person appointed by the CAO to act as his/her/their designate.
- c) “Consumer” means any person or corporation whose property is connected to the water system or any Lessee or occupant of such property or person who obtains water from any Town owned hydrant or stand.
- d) “Non-Residential Water Use” means a service supplied to a premise principally used to conduct a profession, business, trade, industry, occupation, or employment, and includes institutional uses that does not have any health or safety impacts, is not by regulation, or is not required for municipal purposes and includes but not limited to:
 - Washing of vehicles
 - Washing/pressure washing of streets, sidewalks, parking pads or building exteriors, unless necessary for maintaining public sanitation
 - Irrigation of lawns, trees, athletic fields and ornamental plants (included those through timed or programmed sprinkler systems).

- Filling of decorative fountains, swimming pools and hot tubs
 - Water for construction purposes such as grading and compacting
 - Any other uses deemed non-essential by the CAO for any events given the severity and specific circumstances of the event.
- e) “Officer” means any individual(s) designated and appointed from time to time by the Village for the administration and enforcement of this bylaw and shall include the CAO or designate; Peace Officer appointed by the Province of Alberta; a Bylaw Officer; and any member of the Royal Canadian Mounted Police (RCMP)
- f) Residential Water Use means a service supplied to a premise that is used primarily for domestic purposes including but not limited to single-family dwellings, multi-family dwellings and mobile homes.
- g) “Vehicle” means a device in or by which someone travels or something that is carried on or conveyed including but limited to cars, trucks, trailers, recreational vehicles, all terrain vehicles (ATVs) and motorcycles.
- h) “Water Restriction” mean the applicable restriction of water use imposed by the CAO as described in Schedule “A” of this bylaw.

4. WATER USE RESTRICTIONS

- a) In the event that the CAO believes there may be a shortage of water, the CAO may regulate the distribution and use of water from the Water Treatment Plant to all consumers including the days and times of day when the use of water for non-essential water use may be allowed or prohibited. This is to be ratified by Council at the next meeting of Council or a special meeting will be called to ratify the same. This is also done in consultation with the Village Foreman, Director of Emergency Services, Town of Nobleford and Alberta Environment.
- b) When the Council has declared a state of water shortage:
- 1) The CAO may impose a Level 1, Level 2, Level 3 or Level 4 water restriction as set out in Schedule “A” of this Bylaw.
 - 2) The CAO shall not be required to impose levels of restriction in successive stages but may proceed to impose any level of restriction the CAO has determined is warranted in the circumstances.
- c) Subject to other sections of this Bylaw, no person may use municipally supplied water from a hose, pipe, sprinkler, or permanent water irrigation system for the purpose of watering lawns **except between the hours of 8:00 a.m. and 12:00 noon and 6:00 pm and 8:00 pm on the residents scheduled days.**
- d) In the event there is a reason to declare an increase in water conservation level, the CAO in consultation with Council, may declare such restriction effective immediately.

- e) Any consumer outside of municipal boundaries will be required to implement the same or similar water conservation measures as required by the Town residents subject to CAO approval.
- f) The declaration of a water use restriction may apply to the entire municipality or other specific locations as defined by the CAO.
- g) In the event of an emergency such as, but not limited to, a fire, water line break, water plant critical component failure, etc., the municipality may implement such conservation measures as deemed necessary for the duration of the emergency.

5. NOTICE

The CAO will cause public notice indicating the level of water conservation and the date that level came or will come into effect to be given by any of the following means:

- a) Website
- b) Circulation of a flyer
- c) Poster at Canada Post Bulletin Board, Village Office window and Bulk Water window
- d) Any other method as deemed necessary.

6. LEVELS OF WATER CONSERVATION

The CAO may enact any of the following levels of water conservation measures as listed in Schedule “A” attached, depending on the projected or actual severity of the event.

The Village in turn will show conservation by shutting off water to the sprinklers in all public areas and shut off the bulk water and carwash from drawing additional water.

7. EXEMPTIONS

The following circumstances may be exempt from the restrictions noted under this Bylaw:

- a) Watering of flower beds, gardens, shrubs, and trees by watering can is permitted at anytime.
- b) Newly laid sod and seeding lawns may be watered by drip system until the first cut only or as would be deemed reasonable by a Peace Officer.
- c) At any time, a written request may be made to the CAO requesting an exemption tor the water restriction in place. Exemptions will only be made for extraordinary and or emergency situations. A permit must be obtained in order to possibly grant an exemption listed as Schedule B” of this bylaw. The written request must include:
 - 1. Location of request
 - 2. Reason for waiver
 - 3. Duration of requested waiver

- d) Water that a person can establish is not supplied by the Village are not subjected to these restrictions. Examples would include rain barrels or private wells.

8. **WASTING WATER**

All consumers or persons are prohibited from wasting water. No consumer shall allow potable water to run off the property as a result of water uses including but not limited to over watering, broken irrigation or infrastructure washing of surfaces such that there is:

- a) a stream of water running into a street or swale for an excessive distance from the edge of the property;
- b) a stream or spray of water running into or discharging into a street or sidewalk.

9. **ENFORCEMENT**

- a) Any person who contravenes any section of this Bylaw is guilty of an offence and liable upon summary conviction, to a fine as set put in this bylaw.
- b) An Officer who has reasonable grounds to believe a contravention of this bylaw has occurred is authorized and empowered to:
 - 1. Issue a verbal and/or written warning to the person violating this bylaw; and/or
 - 2. Issue a Violation Ticket pursuant to Part 11 of the Provincial Offences Procedures Act to the person violating this bylaw, with or without having issued any such warnings.
- c) Every day during which a contravention continues is deemed to be a separate offence.
- d) Any employee of the municipality may enter upon any parcel of land, suspected of violating water use restrictions, and require the occupant of such parcel to discontinue such noncompliance or, if the occupant is not available, the employee may turn off the source of such non-compliance.
- e) In the event that the employee is not able to shut off the source of the non-compliance, the supply of water to any parcel may be temporarily discontinued, and the owner shall be liable to pay a reconnection fee in addition to the fine that may be applied.
- f) In addition to fines and penalties, which may be issued under this Bylaw, the Village of Barons may seek an Order of Court granting an injunction or any other order necessary to enforce compliance. The Village will seek full recovery of such legal costs either through the court system or by placing the cost of such action on the person(s) or corporations tax or utility account.
- g) Any person who commits an offence under this Bylaw is liable to pay fines for each contravention of any provision of this Bylaw as stated by this bylaw.

10. **FINES AND/OR PENALTIES**

A person committing a breach of any of the provisions of this bylaw may forfeit the right to be supplied with water and shall be liable to a penalty as outlined below:

LEVEL	1ST OFFENSE	2ND OFFENCE	3RD OFFENCE
1	N/A	N.A	N/A
2	\$100.00	\$250.00	\$500.00
3	\$250.00	\$500.00	\$1,000.00
4	\$1,000.00	\$2,000.00	\$3,000.00
WASTING WATER	\$100.00	\$250.00	\$500.00

11. SEVERABILITY

- a) Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- b) Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other Bylaw or any requirement of any lawful permit, order, or license.

NOW THEREFORE THE COUNCIL FOR THE VILLAGE OF BARONS ENACTS AS FOLLOWS:

That this bylaw shall take effect on the date of the third and final reading thereof.

Read a first time this 12th day of March, 2024.

Read a second time this 12th day of March, 2024.

Received Unanimous Consent for consideration of third reading this 12th day of March, 2024.

Read a third time and passed this 12th day of March, 2024.

MUNICIPALITY OF THE VILLAGE OF BARONS

MAYOR

ADMINISTRATOR

**Village of Barons
Bylaw # 757**

Schedule “A”

**OUTDOOR WATERING AND NEW VEGETATION INSTALLATION RESPONSE
MEASURES**

√ Means permitted

Remember that established lawns only require one (1) inch of water per week.

	<u>Level 1 Normal Operations</u>	<u>Level 2 Restrictions</u>	<u>Level 3 Restrictions/ Prohibitions</u>	<u>Level 4 Restrictions Full outdoor water ban</u>
<u>Manual Outdoor Watering – Grass, Trees, Shrubs</u>	√	<p>ODD numbered addresses may use water for these purposes on Tuesdays, Thursdays and Saturdays.</p> <p>EVEN numbered addresses may use water for these purposes on Wednesdays, Fridays and Sundays.</p> <p>Mondays are reserved for Village owned properties such as parks, etc.</p> <p>Watering will be allowed only between the hours of 8:00 a.m. and 12:00 (noon), or 6:00 pm to 10:00 pm.</p>	<p>Outdoor Watering Once per week from 8:00 am to 12:00 pm (noon), or 6:00 pm to 8:00 pm</p> <p>Odd Address – Tuesday only</p> <p>Even address – Thursday only</p>	<p>No watering permitted.</p>
<u>Automated Outdoor Watering – Grass, Trees, Shrubs</u>	√	<p>ODD numbered addresses may use water for these purposes on Tuesdays, Thursdays and Saturdays.</p> <p>EVEN numbered addresses may use water for these purposes on Wednesdays, Fridays and Sundays.</p> <p>Mondays are reserved for Village owned properties such as parks, etc.</p> <p>Watering will be allowed only between the hours of 8:00 a.m. and 12:00 (noon), or 6:00 pm to 10:00 pm.</p>	<p>Outdoor Watering Once per week from 8:00 am to 12:00 pm (noon), or 6:00 pm to 8:00 pm</p> <p>Odd Address – Tuesday only</p> <p>Even address – Thursday only</p>	<p>No watering permitted.</p>

Non-Essential Water use

	<u>Level 1 Normal Operations</u>	<u>Level 2 Restrictions</u>	<u>Level 3 Restrictions/ Prohibitions</u>	<u>Level 4 Restrictions Full outdoor water ban</u>
<u>New Installation of Seed or of Sod</u>	√	May be watered outside scheduled time with water exemption permit	May be watered outside scheduled time with water exemption permit	No watering permitted.
<u>Vegetable Gardens and Flower Beds</u>	√	May be watered outside of outdoor watering schedule using a watering container, low volume non-spray irrigation or a hose with a spring loaded trigger spray nozzle	May be watered outside of outdoor watering schedule using a watering container, low volume non-spray irrigation or a hose with a spring loaded trigger spray nozzle	No watering permitted.
<u>Non-potable watering (rain barrels)</u>	√	√	√	√
<u>Bulk Water sales</u>	√	Bulk water sales will be restricted	Bulk water sales will be restricted	Bulk water sales will be prohibited
<u>Carwash</u>	√	Carwash hours will be restricted	Carwash use will be prohibited	Carwash use will be prohibited
<u>Other uses not defined</u>	√	Washing cars, sidewalks, pads, outdoor water features, exterior of buildings, windows and watering lawns, etc. is restricted	All non-essential water use is prohibited (e.g.: washing cars, sidewalks, pads, exterior of buildings, windows, and watering lawns, outdoor water features, etc.) Signage will be posted to discourage misuse	No flushing of toilets unless there are solids. Filling or re-filling of hot tubs is prohibited Laundry only twice per month Conserve water as much as possible with the restrictions in place

**VILLAGE OF BARONS
BYLAW #757**

Schedule "B"

**LAWN/GARDEN WATERING
SPECIAL PERMIT APPLICATION**

WATERING PROPERTY ADDRESS: _____

APPLICANT'S NAME: _____

Check Applicable Box:

- Owner
- Owner's Representative
- Occupant at watering address

MAILING ADDRESS: _____

PHONE NO: _____

APPLICANT'S REQUEST: (Please provide justification)

SIGNATURE OF APPLICANT: _____

DATE _____

For Office Use Only: PERMIT NUMBER: _____ Reviewed By: _____

Permit Approval:

1. This permit allows watering at the above-mentioned watering property address on _____ calendar days between the hours of _____.
2. The applicant should ensure that all other requirements of the water conservation bylaw number #757 and are complied with.
3. The Permit is valid only for the year 2024.