

## BYLAW # 3234

### Water Restriction Bylaw

**A bylaw of the County of Grande Prairie No. 1 in the Province of Alberta to establish restrictions on water usage during times of extreme drought.**

**WHEREAS:** pursuant to the Municipal Government Act, RSA 2000, c. M-26 and amendments thereto, a Council may pass bylaws relating to the health and welfare of people, the protection of people and property, and any services or public utilities provided by or on behalf of the Municipality; and

**WHEREAS:** the County of Grande Prairie deems it necessary to make provision for the restriction of the use of water and for the protection of the supply of water during periods of drought conditions; and

**NOW THEREFORE,** under the authority of the Municipal Government Act, the Council of the County of Grande Prairie No. 1, in the Province of Alberta, hereby enacts as follows:

#### **INTERPRETATION**

- 1 This Bylaw shall be cited as the "Water Restriction Bylaw".
- 2 Headings in this Bylaw are for reference purposes only.
- 3 Words in the masculine gender will include the feminine gender whenever the context so requires and vice versa.
- 4 Words in the singular shall include the plural or vice versa whenever the context so requires.

#### **DEFINITIONS**

- 5 In this Bylaw:
  - 5.1 "Aquatera" means Aquatera Utilities Inc.
  - 5.2 "Bulk Water Consumer" is a person, firm or corporation who purchases water from the Bulk Water Station.
  - 5.3 "Bulk Water Station" is any facility that offers the sale of potable water on a bulk basis.
  - 5.4 "CAO" means the person appointed by Council to the position of Chief Administrative Officer or County Manager under the Municipal Government Act for the County or designate.
  - 5.5 "County" means the municipality of the County of Grande Prairie No. 1 having jurisdiction under the Municipal Government Act and other applicable legislation.
  - 5.6 "Fire Service" means the County Regional Fire Service and includes any other Fire Service working with the County under a Mutual Aid Agreement or any Person supplying Water to the County Fire Service for firefighting.
  - 5.7 "Non-Residential Water Use" is a service supplied to a premises principally used to conduct a profession, business, trade, industry, occupation, or employment, and



also includes institutional uses.

- 5.8 "Order" means a Water Restriction Order issued by the County.
- 5.9 "Peace Officer" means a member of the Royal Canadian Mounted Police, a Peace Officer appointed pursuant to the Alberta Peace Officer Act, or a Bylaw Enforcement Officer appointed by the County.
- 5.10 "Person" means an individual, corporation, commercial or residential water user.
- 5.11 "Residential Water Use" is a service supplied to a premises that is used primarily for domestic purposes including but not limited to, single-family dwellings and multi-family dwellings.
- 5.12 "Water" means any water supplied or provided to any person, firm or corporation in the County, and includes Residential Water Use, Non-Residential Water Use, and such water supplied to Bulk Water consumers by a Bulk Water Station and does not include natural rainwater collected and stored by any person for personal usage upon satisfactory production of proof to a Peace Officer.
- 5.13 "Water Restriction" means any period of time in which a Water Restriction Order is in place.

## **WATER CONSERVATION STRATEGIES**

- 6 The County may at any time make an Order restricting the use of Water either by all consumers or by any particular class of consumer and either throughout the County or in any particular area or areas of the County. The Order may specify that such restricted use of Water shall apply during such hours of any day of the week as may be specified in the order.
- 7 The CAO is hereby delegated the authority to implement the requirements set out in this Bylaw and issue an Order to ensure compliance with the use of water.
- 8 The County presently provides Water to consumers through a number of means including Aquatera. At times where drought conditions exist that may affect the overall water supply of the County, the County may undertake the following:
  - 8.1 Assist all consumers by providing information that will encourage Water conservation,
  - 8.2 Encourage Commercial, Industrial and Institutional Consumers to implement Water conservation technology,
  - 8.3 Manage the overall supply of Water in the County to comply with the requirements by all Water suppliers and users in the County through regulation, restriction or prohibiting the use of Water as set out in this Bylaw, any amendments hereafter or by a resolution of Council, duly enacted, for specific Water use restriction issues.
- 9 The County may restrict, regulate, or prohibit the hours during which Water may be used for any purpose other than for emergencies.
- 10 The County may cause Water Restriction notices to be published:

- 10.1 in a newspaper of general circulation in the County; or
  - 10.2 on Water accounts from Aquatera or the County; or
  - 10.3 via radio, social media, website, door knockers; or
  - 10.4 by any other additional means.
- 11 No Person shall use any Water in contravention of the terms of any Order made by the CAO under this section.
  - 12 An Order may include the following items:
    - 12.1 The use of Water for aesthetic purposes.
    - 12.2 The regulation, restriction, or prohibition of use of Water for Consumers or Bulk Users, by any method including but not limited to restricting amounts supplied on an ongoing basis, closing off the Water supply during certain times of the day, or totally prohibiting use of Water by permanent closure of Water supply valves for extended periods of time.
    - 12.3 The watering of lawns, flowers and gardens according to Schedule "B" attached hereto and forming part of this Bylaw.

### **WASTING WATER**

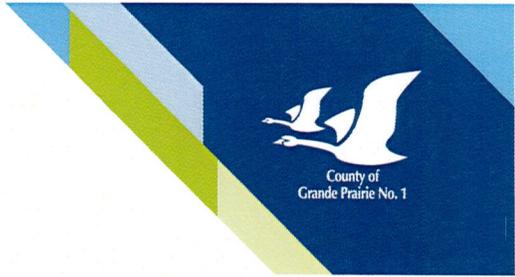
- 13 No Person shall waste Water when an Order is in effect.
- 14 Any Person who wastes Water will be guilty of an offense under this bylaw. In determining if an activity constitutes wasting water, consideration will be given to the following:
  - 14.1 Whether the Water wasting is contrary to the terms of the Order;
  - 14.2 The volume of Water reasonably required to perform the activity;
  - 14.3 The length of time that Water has been allowed to run;
  - 14.4 The degree of control exercised over the flow of Water;
  - 14.5 The purpose to which the Water is being used;
  - 14.6 The existence of any other factors reasonable suggesting that waste of Water is occurring or has occurred.

### **EXEMPTIONS**

- 15 Council may by resolution, choose to exempt certain Water users from the Order.
- 16 Water required to be used during an emergency or by a Fire Service during firefighting is exempt from any Order. This exemption does not apply to any Water used for Fire Services practices and training.

### **ENFORCEMENT**

- 17 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon summary conviction of a fine of not less than TWO HUNDRED AND FIFTY DOLLARS (\$250.00) and not greater than TEN THOUSAND DOLLARS (\$10,000.00).



- 18 The offences under this Bylaw in respect of which a voluntary specified penalty may be made are set out in Schedule "A". The specific amount of the penalty payable is set out in the column headed "Specified Penalties".
- 19 A violation ticket as distributed by the Province of Alberta and set out in the Provincial Offences Procedures Act and Regulation may be issued by a Peace Officer for any contravention of this Bylaw.
- 20 A violation ticket is deemed sufficiently served if the processes under the Provincial Offences Procedures Act and Regulation have been followed.
- 21 In addition to any fines issued under this Bylaw, the County may also seek a Court Order granting an injunction or any other Order necessary to enforce compliance. The County will seek full recovery of such legal costs either through the court system or by placing the costs of such action on the property tax roll.
- 22 Notwithstanding the above, in cases of non-compliance, the County may shut off Water, or cause Water to be shut off, from any Person pursuant to Schedule C of Bylaw 2720 County Utility Bylaw.

**EXERCISE OF DISCRETION**

- 23 The County has the discretion to enforce this Bylaw, and is not liable of any outcomes should the County or a Peace Officer not decide to enforce this Bylaw if acting in good faith.

**SEVERABILITY**

- 24 Every provision of this bylaw is independent of all other provisions and if any provision is declared invalid by a Court, then the invalid provisions shall be severed and the remainder provisions shall remain valid and enforceable.

**EFFECTIVE DATE**

- 25 This Bylaw shall come into force and effect on the third and final reading thereof.

Read a FIRST time this 15 day of July, 2024

Read a SECOND time this 15 day of July, 2024

Read a THIRD time and finally passed this 15 day of July, 2024



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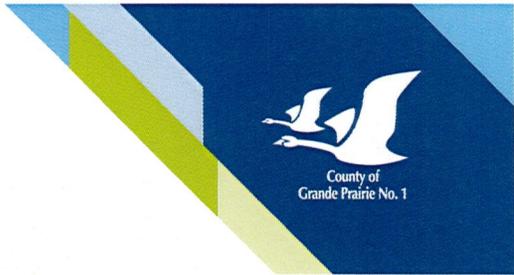
Robert G. Marshall  
Reeve

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Joulia Whittleton  
County Manager

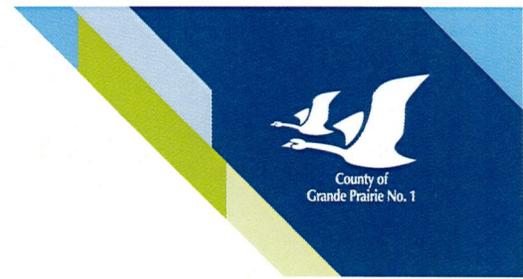
**ATTACHMENTS**

- Schedule "A" – Specified Penalties
- Schedule "B" – Water Restriction Schedule



### Schedule "A" – Specified Penalties

Section	Offence	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence
11	Use water in contravention of Order	\$250.00	\$500.00	Court
13	Waste water when water restrictions are in effect	\$250.00	\$500.00	Court



## Schedule “B” - Water Restriction Schedule

**ODD AND EVEN WATERING DAYS:** Using the last number of your address (odd or even) determines which days you may water your lawn.

### LEVEL 1:

Lawn Watering	Watering Dates	Watering Hours
ODD Numbered Addresses	Thursday and Sunday	6:00 a.m. - 9:00 a.m. 7:00 p.m. - 11:00 p.m.
EVEN Numbered Addresses	Wednesday and Saturday	6:00 a.m. - 9:00 a.m. 7:00 p.m. - 11:00 p.m.

Flowerbeds and vegetable gardens may be watered by hand, at any time, using a watering can or a hose with a nozzle with a trigger shut off to restrict water flow. Sprinklers and water toys may be used for recreational purposes by children as long as children are present during use; includes children's pools (capacity not more than 1000 litres).

### LEVEL 2:

All outdoor water use is prohibited (eg. washing cars, sidewalks, pads, exteriors of buildings, recreational use of sprinklers and water toys).

Excepting the watering of lawns:

Lawn Watering	Watering Dates	Watering Hours
ODD Numbered Addresses	Thursday and Sunday	6:00 a.m. - 9:00 a.m. 7:00 p.m. - 11:00 p.m.
EVEN Numbered Addresses	Wednesday and Saturday	6:00 a.m. - 9:00 a.m. 7:00 p.m. - 11:00 p.m.

Flowerbeds and vegetable gardens may be watered by hand, at any time, using a watering can or a hose with a nozzle with a trigger shut off to restrict water flow. Children's pools (capacity not more than 1000 litres) may be used.

### LEVEL 3:

All outdoor water use is prohibited (eg. washing cars, sidewalks, pads, exteriors of buildings **and lawns**).

Excepting:

Flowerbeds and vegetable gardens may be watered by hand, at anytime, using a watering can or a hose with a nozzle with a trigger shut off to restrict water flow. **Bulk water sales are suspended.**

### LEVEL 4:

All outdoor water use is prohibited. Household and non-residential use is controlled through district flow restrictions (reduced pressures subject to Fire Services review and approval). Bulk water sales are suspended.