



# Waterworks Regulations Bylaw, 2017

## Bylaw No. 2665-2017

[Consolidated and printed by authority of the Corporate Officer under section 139 of the *Community Charter*. Includes amendment bylaws 2914-2019, 3063-2020, and 3527-2024. Last amended April 23, 2024]

The Council of the City of Abbotsford, in open meeting assembled, ENACTS AS FOLLOWS:

### Citation

- 1 Bylaw No. 2665-2017 may be cited as "Waterworks Regulations Bylaw, 2017".

### Interpretation [B/L 3527-2024]

- 2
  - (1) Schedule "A" contains definitions of terms used in this Bylaw.
  - (2) Unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter*, SBC, 2003, *Local Government Act*, RSBC, 2015, and *Interpretation Act*, RSBC, 1996, or as the context and circumstances may require.
  - (3) A reference to a statute refers to a statute of the Province of British Columbia, and a reference to any statute, regulation or bylaw refers to that enactment, as amended or replaced from time to time.
  - (4) Words in the singular include the plural and gender specific terms include both genders and corporations.
  - (5) Headings in this Bylaw are for convenience only and must not be construed as defining, or in any way limiting the scope or intent of this Bylaw.
  - (6) If any part of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.

### Application for service and connection fees

- 3
  - (1) Every Parcel, potential Parcel or Premise receiving water from the City will be supplied with water by means of a separate and independent connection to the Works.
  - (2) Subject to Subsections (4) and (5), where a Person is required under the City's *Building Bylaw, 2016*, to obtain a permit for work that includes the installation or renewal of a Service connection, the Person must apply to the General Manager, providing particulars such as the location of the Parcel, the intended water use, the required size, capacity and location of the Service pipe and Meter, and any other information in such detail and form as may be deemed appropriate by the General Manager, and, at the time of such Application, the Person must pay the connection fee, as set out in the City's *Fees and Charges Bylaw, 2006*.

- (3) Where owners of a bare land strata or townhouse complex with an existing bulk Meter wish to have each unit individually metered, an Application must be submitted to the General Manager. If, in the opinion of the General Manager, it is feasible to install individual Meters, all costs associated with the installation will be the responsibility of the Owners. All individual Meters must be installed in a Meter pit at a location that is readily accessible to City staff. The Owner may hire a contractor to install the Meter pit and setter, and purchase a Meter from the City, as set out in the *City's Fees and Charges Bylaw, 2006*. Purchase of the Meter includes installation and programming of the Meter and endpoint. Once the contractor has completed installation of the pit and Meter setter to the satisfaction of City staff, the Meter and endpoint are the property of the City.
- (4) Where, in the opinion of the General Manager, a Person is required by the City's *Development Bylaw, 2011* to provide or remove Service connections in relation to a subdivision or development, the connection and disconnection fees, as set out in the *City's Fees and Charges Bylaw, 2006*, do not apply and that Person must pay the actual cost of providing or removing the Service connections including, but not limited to, all direct and indirect costs and expenses of designing, constructing, and installing or removing the Service connections, in accordance with the requirements of the City's *Development Bylaw, 2011*.
- (5) Where:
  - (a) a Parcel has no water source or receives water from a well or a source other than the Services;
  - (b) a Person wishes to connect the Parcel to the Service;
  - (c) no approval of a subdivision of the Parcel is required under the *Land Title Act, RSBC, 1996*, or the *Strata Property Act, SBC, 1998*; and
  - (d) no work permit is required under the City's *Building Bylaw, 2016*, to install or renew such Service connection;the Person may apply to the General Manager for the connection, by providing in writing to the General Manager the particulars of the requested connection, such as the civic address and legal description of the Parcel, the intended water uses(s), the required size, capacity and location of the Service pipe and Meter, and any other information in such detail and form as may be deemed appropriate by the General Manager. Full payment of the connection fee, as set out in the *City's Fees and Charges Bylaw, 2006*, is required, at the time of Application, excluding where the Person applies for a Payment Plan due to affordability, in which case the General Manager may approve the request if the Application complies with Subsection (7).
- (6) Where the General Manager assesses that financial hardship warrants repayment of Service connection fee through a Payment Plan, the following criteria will apply:
  - (a) the maximum term over which the Service connection fees can be amortized is five (5) years;
  - (b) the annual payment amount will be incorporated on the property tax notice;
  - (c) a charge on title will be secured until payment is complete;
  - (d) late payment will be subject to a late payment fee at the same rate as set out for late payment of property taxes; and
  - (e) the interest rate charged will be equivalent to the overnight rate earned on the City's general bank account at the time of Application.

- (7) For the purposes of Subsection (6), where an Applicant establishes financial hardship warranting a Payment Plan, together with the Application required under Subsection (5), a statutory declaration, sworn before a commissioner for oaths, containing the following:
- (a) evidence that the household net annual income for the Applicant is less than the Statistics Canada Low Income Cut-Off;
  - (b) evidence of the annual net income for each resident of the Applicant's household who is 19 years of age or older, by way of attachment of a Canadian Revenue Agency Notice of Assessment to the statutory declaration, for each resident of the Applicant's household who is 19 years of age or older, as an appendix to the statutory declaration;
  - (c) attachment of a federal GST credit or BC Low Income Climate Action Tax Credit Notice listing the names of any children included on the Application, as an appendix to the statutory declaration;
  - (d) evidence that the Applicant has resided in Abbotsford for at least one (1) year, and has owned or occupied the residence, in respect of which the Application is made, for at least three (3) months;
  - (e) confirmation that the Applicant's City utility and property tax accounts are paid in full at the time of the Application;
  - (f) confirmation of the execution and delivery by the Applicant of a Service Agreement with the City for a Service connection, where the Service connection comprises the pipe, tap, valves, meter and appurtenances located from the City's utility main to the Parcel in respect of which the Application is made;
  - (g) confirmation that the Applicant has secured all permits and approvals required under City enactments in respect of the construction and installation of Works and Services on the subject Parcel; and
  - (h) a statement that swearing a false statutory declaration is an offence under this Bylaw.
- (8) No Person may knowingly provide false or misleading information to the General Manager in relation to an Application under this Bylaw.
- (9) Upon receipt of an Application for Service and payment of the connection fee, as set out in the City's *Fees and Charges Bylaw, 2006*, the General Manager may cause a Service to be provided and laid down from the Works to the Applicant's Parcel as scheduling permits.
- (10) The connection charges do not include any extra costs incurred during the installation of a Service due to the presence of rock or other unusual ground conditions. Should extra costs be incurred, they will be invoiced to the Applicant after the installation of the Service is completed, as set out in the City's *Fees and Charges Bylaw, 2006*.
- (11) For connections larger than 25 mm (1") in size or longer than 25 metres, the General Manager shall prepare an estimate of the work, and the Applicant shall pay the total actual cost of installation of the connection, including direct and indirect costs, as set out in the City's *Fees and Charges Bylaw, 2006*. Payment of the connection costs must be made upon receipt of invoice from the City, and where such costs remain unpaid, they will form a charge against the Premises and may be recovered from the Owner of the Premises in the same manner and by the same means as unpaid property taxes.
- (12) Where the Owner or occupier installed the Service connection, as part of the servicing requirements, the charge for the supply, delivery and installation of a Meter sized up to, and including 50 mm (2"), and the supply and delivery only of a Meter sized larger than 50 mm (2") will be payable as set out in the City's *Fees and Charges Bylaw, 2006*.

- (13) Where the General Manager determines that it is practical and convenient to do so, he may, upon request, cause a Service to be laid in any route other than the shortest route from the Works to the Parcel, provided that all direct and indirect costs incurred by the City, as set out in the City's *Fees and Charges Bylaw, 2006*, must be paid by the Person requesting such route.
- (14) If a Person is required under the City's *Building Bylaw, 2016*, to obtain a permit for work that:
- (a) includes the installation, replacement, modification or relocation of a Service connection under this Bylaw; or
  - (b) in the opinion of the Building Inspector, could result in interference with, damage to, or loss of a Service or any part thereof provided under this Bylaw.
- the Person must:
- (c) apply to the Engineering and Regional Utilities Department to arrange for an inspection of Services by City Works staff pursuant to this Bylaw;
  - (d) pay the water inspection fee, as set out in the City's *Fees and Charges Bylaw, 2006*; and
  - (e) deposit with the City a security deposit for each Service connection as City's *Fees and Charges Bylaw, 2006*.
- (15) Subject to Subsection (14), a security deposit provided under Subsection (14) (e) will be returned to the Person who provided it, following an inspection under Subsection (14) (c), where the inspecting staff member has indicated in writing that he is satisfied that:
- (a) any work carried out under the building permit has not resulted in interference with, loss of or damage to any existing Service or Works for which the City would incur costs or expenses for remediation; and
  - (b) that Services included under the permit have been installed, replaced, modified or relocated in a manner consistent with this Bylaw.
- (16) The City may draw upon all or any part of a deposit provided under Subsection (14) (e) to recover any costs or expenses incurred for repairing, replacing, modifying, reinstalling or relocating its Works or a Service where such remedy is necessitated by interference, loss or damage resulting from work or actions undertaken or carried out by a Person other than City staff or contractors retained by the City. Any amount of the deposit not used for these purposes will be refunded, in accordance with Subsection (15). Any City costs, or expenses, exceeding the deposit amount will be invoiced to the Owner, as set out in the City's *Fees and Charges Bylaw, 2006*. Any amount owing and unpaid 30 days after the date noted on the invoice becomes a debt owing to the City.
- (17) Despite any other remedies the City may have at law for collecting fees and debts, any fees and charges owing under this Section that remain owing and unpaid as of December 31st may be recovered in the same manner as for property taxes in arrears.
- (18) **Reconsideration of a decision by Council:**
- (a) The Person who is subject to a decision of the General Manager is entitled to have Council reconsider the matter.
  - (b) Without limiting Paragraph (a), a decision by the General Manager, denying an Application, may be reconsidered by Council, in accordance with the City's *Appeal Procedure Bylaw, 2016*.

### **General Manager to determine size and location of pipes**

- 4 (1) The General Manager will determine the size of the pipe to be used in providing Service from the Works to any Parcel, as well as the position in the street in which the pipe is to be laid.
- (2) In the event that Service may be provided from either of two (2) mains forming part of the Works, the General Manager will determine to which main the Service will be connected.

### **All Works to be carried out by City employees**

- 5 (1) No Person, except an employee of the City, may undertake work of any kind upon, under or within City highways or City rights-of-way with respect to the construction, installation, repair or removal of a Service, without the written authorization of the General Manager.
- (2) No Person may make any connection to Works without the written authorization of the General Manager.

### **Removal of Service**

- 6 (1) Where:
  - (a) a Person is required under the City's *Building Bylaw, 2016*, to obtain a demolition permit; and
  - (b) the building or structure to be demolished includes a Service that was installed 20 or more years prior to the date on which the City receives the demolition permit;the Person must apply to the City either:
  - (c) to have the Service permanently disconnected and removed at the time of demolition; or
  - (d) for a building permit under the City's *Building Bylaw, 2016*, to construct a new building or structure, in which case the General Manager will inspect the existing Service and determine whether the Service, or any of its components, will be:
    - (i) temporarily disconnected; or
    - (ii) permanently disconnected, removed and replaced; andthe Person must pay the applicable fees, as set out in the City's *Fees and Charges Bylaw, 2006*.
- (2) The fees payable under Subsection 6 (1) (d) will not exceed the charge payable for a permanent disconnection plus any connection charges.

### **Water pressure**

- 7 (1) The City will not be liable for any loss, injury or damage to Persons or property, which may result from either excessive pressure or lack of pressure.
- (2) The Owner is responsible for the maintenance, repair or replacement of the pressure relief valve and the pressure reducing valve, whether the valves are located within the Premises, or within a chamber located elsewhere on the Parcel.
- (3) Where any Premises experiences low water pressure, Owners must, at their expense, install and maintain a pressure booster system.
- (4) Plans and specifications for the pressure booster system must be approved by the General Manager before installation; and, within two (2) days of completion of the system, the Owner must notify the General Manager in writing, who will inspect the system.

- (5) No Person may operate a pressure booster system until such time as the General Manager has given approval in writing for such operation.

#### **No Person to interfere with Service**

- 8 No Person may in any manner interfere with, or make any addition or alteration to or about a Service or the Works in any street, or turn on or off any City valve without permission, in writing, of the General Manager.

#### **Access to premises by City employees for inspection**

- 9 (1) Every Person must, at all reasonable times, allow, suffer and permit the General Manager, or anyone authorized by him for such purpose (either generally or in any particular instance), to enter into and upon the Premises where Service is provided for the purpose of:
  - (a) inspecting the Service and the water pipes, connections, fixtures, taps, Meters, and any other apparatus used in connection with the Service; and
  - (b) Meter maintenance and replacement.
- (2) Meters will be supplied and placed into position by employees of the City. Meters and all other materials provided by the City are, and will remain, the property of the City, which has sole authority to maintain, repair or replace the Meters or other materials.

#### **48-hour notice to repair leaks or defects**

- 10 (1) Where the City suspects there is a leak on private property, the General Manager will notify the Owner. Within 48 hours of receiving such notice, the Owner must investigate and make or cause to be made all necessary repairs or alterations to the satisfaction of the General Manager.
- (2) Where an Owner fails to make the necessary repairs within the 48 hours allowed, or where the condition of the pipes, connections, fixtures, taps, and any other apparatus or indicators may cause a waste of water or damage to property, the General Manager may cause the Service to be temporarily disconnected, without notice, by closing the shut-off valve or by detaching the Service at the main.
- (3) The City will not reconnect Service to the Premises until all necessary repairs or alterations have been completed to the satisfaction of the General Manager, and all applicable charges payable to the City, as set out in the City's *Fees and Charges Bylaw, 2006*, are paid.
- (4) No Person will have any claim, and no action lies and no proceeding may be brought against the City, its elected officials, officers or employees for damages, either direct or indirect, arising from the temporary disconnection of the Service, or for any loss or damage to property, which may result from such temporary disconnection.

#### **Right to refuse or discontinue water supply**

- 11 (1) The General Manager may reduce the quantity of water supplied to, or temporarily or permanently discontinue the Service to any or all Premises whereas person violates any of the provisions of this Bylaw or it is determined that it is in the public interest for health and safety reasons.
- (2) Nothing contained in this Bylaw may be construed so as to impose any obligation on the City to provide a continuous supply of water for all purposes to any Person receiving the Service, and the City accepts no liability for reductions, interruptions, or other temporary or permanent interference with the provision of Service.

## **Use of water from hydrants or standpipes**

- 12 (1) No Person, except employees of the City in the course of their employment, may open any hydrant, standpipe or valve, or use water therefrom, without first obtaining a hydrant use permit. Where a hydrant use permit has been issued, the City reserves the right to terminate such permit and the use of the hydrant, standpipe or valve, at any time, for any reason, without liability for damages of any kind which may arise as a result of such termination.
- (2) Every Person wishing to obtain a hydrant use permit must complete an Application in the form prescribed by the City and pay:
- (a) the non-refundable hydrant use charges, as set out in the City's *Fees and Charges Bylaw, 2006*; and
  - (b) the applicable Water Rates as set out in the City's *Fees and Charges Bylaw, 2006*, of this Bylaw for the full volume of water used, as registered by the attached water Meter.

Where an extension to the duration of the hydrant use permit is required, Application must be made before 4:00 p.m. of the permit expiry date and the applicable non-refundable extension charge, as set out in the City's *Fees and Charges Bylaw, 2006*.

- (3) Persons issued a hydrant use permit must coordinate their requirements with the City's Engineering and Regional Utilities Department, which must supply and install a back water valve, and turn on and off the applicable hydrant. Permit holders must supply their own hoses. Any unauthorized valves or other equipment attached to the hydrant will be confiscated and will become the property of the City. Permit holders are responsible for any costs incurred due to damage of the hydrant or adapter.
- (4) Where the Engineering and Regional Utilities Department is required to provide Service in respect of a hydrant use permit after normal business hours, the permit holder must pay the afterhours Service Charge, as set out in the City's *Fees and Charges Bylaw, 2006*.

## **Destruction or obstruction of hydrants, etc.**

- 13 (1) No Person may destroy, damage, or in any manner interfere with any hydrant, standpipe, Meter box, Meter or other fixture or any property of the Works. Any Person causing the damage will be responsible for the costs of repairing the damage.
- (2) No Person may obstruct at any time or in any manner, the access to any hydrant, valve, shut-off valve, Meter box, Meter or other fixture connected with the Works, and must promptly remove any such obstruction upon the order of the General Manager. The area surrounding a hydrant must be kept clear of any obstruction for a one-meter radius.
- (3) Should any Person fail to remove an obstruction when ordered to do so by the General Manager, or otherwise obstruct access to any hydrant, standpipe, Meter box, Meter or other fixture of the Works by placing thereon, or in the vicinity thereof, any brick, stone, timber, plantings or other material, the General Manager may cause such obstruction to be removed at the expense of the Person causing the obstruction.

## **All Services to be metered**

- 14 (1) Every Service provided by the City must be metered.
- (2) The Meter must be installed in a Meter box at the property line, as specified by the City's *Development Bylaw, 2011*, or as otherwise directed by the General Manager.

## **Water User rates**

- 15** (1) The Owner of every Parcel of real property to which a Service connection has been made, must pay the applicable user rate, as set out in the City's *Fees and Charges Bylaw, 2006*.
- (2) Water User fees will be included in a bi-monthly utility bill for the property and are payable by the Owner by the due date.
- (3) The City has no obligation to provide a Service connection to any Parcel of real property until all rates and charges due and owing under this Bylaw, in connection with that property, are paid in full to the City.

## **Payment for metered Service**

- 16** Subject to Section 17, every Person having a Metered Service must pay for the full volume of water as registered by the Meter, as set out in the City's *Fees and Charges Bylaw, 2006*.

## **Leak adjustments**

- 17** (1) All properties, located in the residential, commercial, industrial, institutional and agricultural zones, as set out in the City's *Zoning Bylaw, 2014*, are eligible for a one-time water leak adjustments providing they meet the criteria set out in this Bylaw.
- (2) Eligible water leak adjustments will only be considered where the leak is:
- (a) due to malfunctioning internal plumbing fixtures, including but not limited to toilets, taps, hot water tank; or
  - (b) in the water Service line between the water Meter and the building or mechanical room.
- (3) Where there is a change in the ownership after a leak adjustment is processed, the new Owner will qualify for a one-time only adjustment regardless of any past consideration.
- (4) In situations where an Owner has attempted to identify an unusual increase in consumption where the cost of the water far exceeds normal use, excluding irrigation, the one-time leak adjustment can be applied, and adjusted as a leak, in accordance with this Bylaw.
- (5) The adjustment period for the leak is limited to the two (2) highest billing periods. Consumption during that period will be adjusted based on the average consumption of the previous twelve months (six billing periods) before the leak started.
- (6) The General Manager may make an adjustment to a utility bill in the case of water use caused by a leak, taking into consideration, the cause of the water loss, the opportunity of the Owner to detect the leak, the possibility of Owner negligence or fault in the connection with the leak and the following criteria are met:
- (a) both the utility account and tax account must be in good standing with no fees or penalties owing;
  - (b) all leaks have been repaired and the Service is no longer leaking; and
  - (c) submission of:
    - (i) a completed leak adjustment Application form signed by an Owner;
    - (ii) the Leak Adjustment Application Fee, as set out in the City's *Fees and Charges Bylaw, 2006*; and
    - (iii) proof of repair in the form of a copy of an invoice for the cost of the repair; and/or supporting documentation in the form of photos, an explanation of the cause of the leak, and details of the repair/remediation work are required.



- (A) For minor repairs, including but not limited to a toilet flapper, the Owner can perform the repair themselves and provide a receipt for the replacement part(s); or
  - (B) For major repairs, including but not limited to repair or replacement of the Service line, an invoice(s) for parts and labour will be required; and
- in cases where a property occupant or Owner has been notified of a potential leak, either by letter or receipt or a higher than normal utility bill indicating the possibility of a leak, the leak must be repaired within 30 days of receipt of such notice.

### Testing of meters

- 18**
- (1) If a Person questions the accuracy of the record of a water Meter, the City may have the Meter re-read and the Service inspected for leaks. If, in the opinion of the General Manager, the reading is not abnormal, or leaks or reading errors are not found, and the Person insists upon further investigation, the Person must pay a water consumption complaint investigation charge as set out in the City's *Fees and Charges Bylaw, 2006*, for each subsequent visit to the site. If any reading errors, as prescribed in Section 17, are found during subsequent visits, the aforementioned charge will be refunded and adjustments made to the Person's utility bill.
  - (2) If no reading errors are found, and the Person requests that the Meter be tested, the General Manager must cause the Meter to be tested by independent lab, , and the Person must deposit with the City the testing charge, as set out in the City's *Fees and Charges Bylaw, 2006*.
  - (3) If the test discloses an error in registering the quantity of water passing through the Meter of over 5% in favor of the City, the water consumption complaint investigation charge and deposit for testing will be refunded to the Person, a properly operating Meter installed, and the Person's account for Service adjusted accordingly.
  - (4) If the test shows an accurate measurement of water, or shows an error in favor of the Person, the water consumption complaint investigation charge and deposit for testing will be retained by the City. Where the actual cost of the test exceeds the water consumption complaint investigation charge deposited with the City, the Person must pay the difference between the actual cost of the test and the amount of the aforementioned charge.

### Tampering with or damage of meters

- 20**
- (1) An Owner must protect, from freezing, hot water, fire and any other cause of damage that is within the Owner's control, any Meter that is located on and that serves the Premises and will indemnify and pay the City the cost to repair or replace the Meter and such cost will form a charge against the Premises and may be recovered from the Owner of the Premises in the same manner and by the same means as unpaid taxes.
  - (2) If a Meter, whether installed on the Premises or within a City right-of-way, is tampered with, destroyed, damaged, stolen or otherwise removed, the Owner is responsible to pay the City the pro-rated cost of water used during the period when the Meter was tampered with, destroyed, damaged, stolen or otherwise removed, calculated on the basis of the average Meter readings for the two previous billing periods, and such costs will form a charge against the Premises and may be recovered from the Owner of the Premises in the same manner and by the same means as unpaid taxes.

### City to maintain meters

- 21** The City will maintain and repair all City-owned water Meters and, if a Meter is rendered unserviceable through normal wear and tear, it will be repaired or replaced by the City.

### **Water rates to form charge on land**

- 22** The rates and charges, as set out in the City's *Fees and Charges Bylaw, 2006*, are hereby imposed and levied for water supplied or ready to be supplied by the City and for the provision of the Service and other water related services. All such rates and charges which are imposed for work done or services provided to lands or improvements will form a charge on those lands which may be recovered from the Owner of the lands in the same manner and by the same means as unpaid taxes.

### **Accounts payable to Collector**

- 23** All accounts for Service, water charges, and rates, as prescribed by this Bylaw, will be due and payable at the office of the Collector, Abbotsford City Hall, 32315 South Fraser Way, Abbotsford, British Columbia.

### **No rebates or refunds**

- 24** No rebate, refund or credit, whatsoever of any rates or charges paid, or payable under this Bylaw, will be made, except as expressly provided in this Bylaw.

### **Fee for reconnection of Service** [B/L 3527-2024]

- 25** (1) When Service has been disconnected from a Premises:
- (a) at the request of a Person, in accordance with Section 26;
  - (b) for non-payment of rates or charges; or
  - (c) for violation of any of the provisions of this Bylaw;

any Person requesting reconnection of Service to the Premises must pay a reconnection fee, as set out in the City's *Fees and Charges Bylaw, 2006*, as well as all arrears of rate, rent or charges owing by that Person under this Bylaw

### **Discontinuation of water Services**

- 26** Persons who request that Service to their Premises be discontinued, must notify the City in writing at least five (5) working days before the Service is to be discontinued, and pay the Discontinuation of Services charge, as set out in the City's *Fees and Charges Bylaw, 2006*.

### **No Person to turn on discontinued Service**

- 27** No Person, other than an employee of the City, may reconnect or turn on any Service, which has been disconnected or turned off by the City.

### **Fire Service**

- 28** (1) Where a Fire Service is installed, all water used for purposes other than supplying a dedicated hydrant service water main in a City right-of-way must be metered by a tattle tale Meter located at the backflow prevention valve.
- (2) The cost of all Meters, gate valves, piping, chambers and installation of that equipment will be borne by the Owner or occupier of the Premises, or the Person installing the Fire Service.
- (3) If it is discovered that water on a dedicated Fire Service is being used for purposes other than firefighting, the General Manager may discontinue such Fire Service until a Meter has been installed at the expense of the Owner or occupier of the Premises or Person installing the Fire Service.

- (4) Fire hydrants on private property are to be maintained by the Owner or occupier of the private property, and each fire hydrant must be serviced annually by a certified technician. Proof of this Service, in the form of a written certification by the certified technician that the hydrant has been serviced within the current year, must be presented to the City on or before June 1st of each year.
- (5) If a certificate of Service is not presented by June 1st, the City will service the hydrant and the Owner or occupier must pay to the City the fire hydrant Service charge, as set out in the City's *Fees and Charges Bylaw, 2006*.

### **Cross connection**

- 29**
- (1) No Person may connect, cause to be connected, or allow to remain connected to the Works, any piping, fixture, fitting, container or appliance in any manner which under any circumstances could allow water, waste water or any harmful liquid or substance to enter the City's water supply system or source of water supply. It is the responsibility of the Owner to advise the City if such a condition exists, such as noted above, and to take appropriate action to discontinue this connection or contact the General Manager to take necessary action as noted in Section 32 (2).
  - (2) Where any piping, fixture, fitting, container or appliance is connected to the Works contrary to Subsection (1), or where the General Manager determines that a condition exists which could result in water, waste water or any harmful liquid or substance entering the City's water supply system or source of water supply, the General Manager may:
    - (a) cause the Service to be shut off; or
    - (b) give notice to the Owner of the Premises or the Person being served to remedy the condition to the satisfaction of the General Manager within 96 hours of such notice, or such lesser period of time as may be specified, failing which the General Manager may cause the Service to be shut off.
  - (3) For the purpose of remedying a condition under Subsection (2), the General Manager may allow a Backflow Prevention Assembly to be installed on the water piping at the source of potential contamination, or on the pipe used in providing Service to the Premises, either on private or City property.
  - (4) Where in the opinion of the General Manager, there is a risk that water, waste water or any harmful liquid or substance could enter the City's water supply system or source of water supply, the General Manager may, as a condition of providing Service to any Premises, require the installation of Backflow Prevention Assembly both on the pipe used in serving the Premises and on the water piping at the source of the potential contamination.
  - (5) Every Backflow Prevention Assembly installed on a Service will be tested by a Backflow Prevention Assembly Tester-Certified upon installation, and annually, or more often if required by the General Manager; and, within 30 days of such test, the Owner of the Premises or Person being provided with the Service must deliver to the General Manager a report prepared by the Backflow Prevention Assembly Tester-Certified, in a form acceptable to the General Manager, describing the condition of the Backflow Prevention Assembly.

- (6) Where an Owner of Premises or a Person being provided with Service fails to deliver the report referred to in Subsection (5) annually, or otherwise as required by Subsection (5), or where a report referred to in Subsection (5) provides that a Backflow Prevention Assembly is not in proper working condition, upon notice from the General Manager, the Owner of the Premises or the Person being provided with the Service must, as the circumstances require:
  - (a) deliver the missing or omitted report to the General Manager no later than seven (7) days after the date of the General Manager's notice; or
  - (b) cause the Backflow Prevention Assembly to be repaired or replaced within 96 hours, or such lesser period as may be specified by the General Manager, and deliver to the General Manager a report prepared by a Backflow Prevention Assembly Tester-Certified, in a form acceptable to the General Manager, certifying that the Backflow Prevention Assembly has been repaired or replaced and is now in proper working condition.
- (7) If an Owner of Premises or a Person being provided with Service fails to comply with the requirements of either Subsection (6) (a) or (b), as the case may be, the General Manager may, without further notice, cause the Service to the Premises to be shut off.

### **City not liable for failure of water supply**

- 30** The City will not be liable to any Person for the failure of the water supply including, but not limited to, a failure to provide adequate or any Service, excessive pressure or lack of pressure, temporary reductions or stoppages in the water supply, whether caused by alterations, repairs, accident or damage to the Works or by any other reason whatsoever, and whether such failure arises from the negligence of any Person in the employ of the City, or other Person whomsoever, or through natural deterioration or obsolescence of the Works, or otherwise.

### **Water service connections for properties outside the Urban Development Boundary** [B/L 2914-2019]

- 31**
- (1) Water Service connections must not be used within the City for open field crop irrigation.
  - (2) Water Service connections, including for the purpose of filling sprayer tanks, must not exceed 25 mm in diameter.
  - (3) Each rural parcel serviced by the City must not have more than one Water Service connection.
  - (4) Despite subsection (2), the General Manager may approve an application for a Water Service connection larger than 25 mm [*1 inch*] in diameter for a Parcel zoned Industrial, Commercial or Institutional and outside of the Urban Development Boundary if the General Manager determines that the water system has adequate water supply for the proposed service size.
  - (5) Despite subsection (3) but subject to subsection (6), the General Manager may consider an Application for a Second Service in respect of a property that has physical barriers, including steep ravines or watercourses, preventing connection of multiple buildings to the Water Service.
  - (6) The sum of flows provided by a Second Service permitted under subsection (5) must not exceed the capacity of a single 25 mm [*1 inch*] Water Service connection.
  - (7) Water Service connections must not be provided to parcels with improvements with an aggregate value of less than \$10 000 unless a building permit has been issued in respect of improvements that would result in a greater aggregate value.

(8) The General Manager must

(a) review each Application under this section to determine whether a proposed Water Service meets the requirements of this section, and

(b) advise the Applicant of any prohibition or size restriction determined to apply under this section.

**Water restrictions** [B/L 3527-2024]

**32** (1) Guiding Principles: the purpose of water restrictions is to reduce outdoor discretionary uses to prevent severe deficits in supply or to mitigate their occurrence, and thereby preserve continuity of service. A guiding principle for water restrictions is the prioritization of beneficial uses, such that priority is given to:

- (a) uses required to ensure public health and safety,
- (b) uses required to support community needs and quality of life, including recreational, cultural, and economic activities and ecological services, and
- (c) uses that promote more efficient and economical applications.

(2) Water Use Restrictions Stages

- (a) The Stage 1 Water Use Restrictions prescribed in Schedule "B" are in effect each year from May 1 to September 30 inclusive, except as provided under subsection (b);
- (b) When necessary for any condition, occurrence, factor, or assessment of all relevant circumstances the General Manager, by resolution, may:
  - i. Amend the effective period of time for any Stage, or
  - ii. Terminate or bring into effect a more restrictive Stage at any time of year for any period of time.
- (c) The Stage determined under subsection (a) and the Water Use Restrictions prescribed under Schedule "B" remain in effect until that Stage is terminated.
- (d) A Stage will remain in effect until it is terminated under this Bylaw, or until the commencement of another Stage.

(3) Determining Water Use Restriction Stages

In making a determination under Section 2(b), the General Manager may consider the following factors:

- (a) snowpack;
- (b) current and forecasted available supply – Dickson Lake level, Cannell Lake level, and the Abbotsford-Sumas aquifer levels;
- (c) antecedent weather and soil conditions;
- (d) precipitation and temperature forecast, including extreme heat warnings;
- (e) Norrish Creek flows;
- (f) Provincial drought levels (hydrological drought);
- (g) recent water consumption and forecasted trends;
- (h) customer compliance with restrictions;
- (i) and any other factor the General Manager considers to be relevant for making a determination.

(4) Water Use Restrictions

- (a) The Water Use Restrictions for each Stage are prescribed in Schedule "B" to this Bylaw and must be followed during the period that the applicable Stage is in effect under this Bylaw.
- (b) For greater clarity, when a Stage is in effect under this Bylaw, no person shall perform any of the outdoor Watering activities described in Schedule "B" to this Bylaw except at the days and times, and in the manner permitted, during that Stage as set out in Schedule "B".
  - (c) 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:
    - i. Allowing a tap or hose to run water unnecessarily,
    - ii. The over-watering of plants or lawns,
    - iii. Power-washing, using water from a hose, or otherwise applying or using water in a manner that constitutes excess water use,
    - iv. Using a motion-activated sprinkler device or sprinkler in such a manner that water spray patterns are not confined to the property on which the device is located, and are allowed to spray onto adjoining public or private property, or
    - v. No Person may allow water to run to waste, whether willfully or by permitting pipes, taps, toilets, irrigation systems or other means of distributing or storing water to run or leak and remain unrepaired.

(5) Offences and Penalties

Every Person who:

- (a) uses water in contravention of the water restrictions, as set out in Schedule "B", or an order, issued by the General Manager for any Stage; or
- (b) allows water to run to waste, as set out in Subsection (4c);

commits an offence under this Bylaw is subject to enforcement and penalties in accordance with the Bylaw Enforcement Bylaw. In addition, the City may cause Service to the Person's property to be shut off, until such time as the contravention is remedied and the Person has, where applicable, paid the Reconnection Fee, as set out in the City's *Fees and Charges Bylaw, 2006*.

(6) Notices and Orders

- (a) The General Manager may issue in writing such notices or orders as may be necessary to notify a person of a contraventions of this Bylaw, in the manner set out in this Bylaw.
- (b) The General Manager may order a person who contravenes any provision of this Bylaw:
  - i. to comply with the Bylaw within a specified time; and
  - ii. to discontinue or refrain from proceeding with any water use in contravention of this Bylaw.

(7) Exemption for Health and Safety

Notwithstanding any provision of this Bylaw, the City may use water during any Restriction Stage, and is exempt from any restrictions contained herein, for activities that the City determines are necessary for the purpose of protecting public health or safety.

(8) Water Management Plan

During Stage 3 Restrictions, an owner or operator of a Golf Course, Soil-based Playing Field, Sand-based Playing Field, cemetery or similar facility may submit a proposed Water Management Plan to the General Manager for approval and include the following:

- (a) The historical Water demand from May 1st to September 30th of each year;
- (b) The reduction in Water demand from May 1st to September 30th of each year and for each Restriction Stage under the proposed Water Management Plan;
- (c) The strategy and measures to be followed by the owner or operator to meet the proposed water demand reductions;
- (d) Other information or commitments, conditions or restrictions as the General Manager may require.
- (e) The General Manager may approve a proposed Water Management Plan in whole or in part, amend the proposed Water Management Plan, or add such other or further commitments, conditions and restrictions as the General Manager considers advisable.
- (f) Plan is in force, the owner or operator shall comply with all conditions and restrictions set out in the Water Management Plan and the Water Management Plan shall supersede the Watering restrictions that would otherwise apply.
- (g) The General Manager may terminate or suspend a Water Management Plan by notifying the owner or operator in writing at least seven days before the termination or suspension date.
- (h) An owner or operator may terminate a Water Management Plan by notifying the General Manager in writing, in which case the Water Management Plan is terminated on the later of the date specified in the notice, or the date on which the General Manager receives the notice.

(9) Permits

- (a) 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 General Manager for a Permit authorizing the Person to water the new Lawn and new landscaping when Stage 1 Restrictions are in force, at times specified in the Permit, at the premises described in the Permit, during the currency of the Permit. A Person who has been issued a Permit prior to the activation of Stage 2 Restrictions may continue to water the new Lawn or landscaping during the currency of the Permit, except that a person who has been issued a Permit shall not be allowed to water the new Lawn or landscaping during Stage 3 Restrictions and Stage 4 Restrictions.
- (b) The General Manager, upon being satisfied that an applicant qualifies, may issue a Permit to the applicant upon payment of a fee prescribed in the *City's Fees and Charges Bylaw, 2006*

**Once-Through Cooling systems** [B/L 3527-2024]

- 33**
- (1) No Person may install or allow the installation of any Once-Through Cooling Equipment connected to the Works, in any residential, industrial, commercial or institutional construction, development, retrofitting or restoration project; and
  - (2) Air conditioners that use water as a cooling agent and then discharge the water to waste must not be connected to, or obtain water from, the Works. Only air conditioners, which recirculate water and maintain it in a closed system, may use City supplied water for their operation.

## **Notice of discontinuation of Service** [B/L 3527-2024]

- 34** (1) Where the City intends to discontinue Service to Premises because of unpaid taxes or fees or non-compliance with the rules and requirements of this Bylaw relating to the provision of Service:
- (a) the City will provide reasonable notice of such discontinuance to the Owner and to all occupiers of the Premises; and
  - (b) all Persons who are affected by a discontinuation of Service because of non-compliance with the rules and requirements of this Bylaw, will be given an opportunity to make representations to Council in accordance with the City's *Appeal Procedure Bylaw, 2016*.

## **City not obligated to supply water**

- 35** (1) Nothing in this Bylaw will obligate the City to supply water to any Person if the cost to the City of laying the supply mains to provide Service to the Premises or Parcel of such Person would, in the opinion of the General Manager, be excessive.
- (2) The City may agree to supply water and provide Service in such circumstances where the Person requesting Service pays to the City the actual cost incurred by the City in installing the supply mains to their Premises.
- (3) Every Person may appeal the decision of the General Manager to the Council.
- (4) Notwithstanding and in addition to the provisions of Subsection (1), the City will not be obligated in any way to extend Service beyond existing water utility boundaries, or boundaries, which may hereafter be established within the City.

## **Car washes** [B/L 3527-2024]

- 36** (1) No Person may conduct an outdoor carwash, or other similar events, for any fundraising or charity purposes, using City supplied water.
- (2) No Person may operate, or cause the operation of, a commercial car wash on or from any Premises, unless the wash and rinse water used in that operation is recycled on site and not discharged into the City sewer system.

## **Water features**

- 37** No Water Feature using City supplied water on any Premises may operate, unless the water in that operation is recycled on site and does not discharge into the City sewer system.

## **Individual water meters**

- 38** Each unit within a bare land strata development or a townhouse development must have an individual water Meter located outdoors in a Meter pit. Apartment style condominiums must have a bulk Meter supplying the entire site.



## **Offence and penalties**

**39** [Repealed, B/L 3063-2020.]

Every person who contravenes this bylaw commits an offence and is subject to enforcement and penalties in accordance with the *Bylaw Enforcement Bylaw*.

## **Repeal**

**40** Bylaw 2053-2011, cited as "Waterworks Rates and Regulations Bylaw, 2011", and all amendments, are hereby repealed.

READ A FIRST TIME on May 8, 2017

READ A SECOND TIME on May 8, 2017

READ A THIRD TIME on May 8, 2017

ADOPTED on May 10, 2017

## SCHEDULE "A" Definitions

In this Bylaw, unless the context otherwise requires:

**"Applicant"** means the Owner making the Application.

**"Application"** means a request for one (1) of the following:

- (a) Hydrant Use permit;
- (b) Bulk Water Filling Station Permit;
- (c) Leak Adjustment;
- (d) Meter Installation;
- (e) Payment Plan;
- (f) Second Service;
- (g) Sprinkling permit;
- (h) Water connection; or
- (i) Water reconnection.

**"Automatic Shut-off Device"** means a device attached to a water hose that shuts off the supply of water automatically unless hand pressure is applied to operate the device.

**"Automatic Watering"** means the application of water using an automated water delivery system that requires only minimal human intervention or supervision and typically employs mechanical, electronic or other components and devices, including but not limited to timers, sensors, computers or mechanical appliances.

**"Backflow Prevention Assembly"** means a backflow preventer that is designed to be in-line tested and repaired, and to meet the head loss and flow requirements of the water supply system. The "assembly consists of the backflow prevention unit, two resilient seated shutoff valves, and test cock(s).

**"Certified Backflow Prevention Assembly Tester-"** means a person certified by the British Columbia Water & Waste Association or holds a certificate deemed equivalent by the British Columbia Water & Waste Association.

**"Building Inspector"** has the same meaning as set out in the City's *Building Bylaw, 2016*.

**"City"** means the City of Abbotsford.

**"Collector"** means the designated City officer appointed by Council and assigned responsibility as collector of taxes for the City, or such other person as Council may, by resolution, designate.

**"Council"** means the City Council of the City of Abbotsford.

**"Discharge"** means to directly or indirectly introduce a Substance into sewer or Wastewater Treatment System by spilling, disposing, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

**"Drip Irrigation"** means an irrigation system that delivers Water directly to the root zone of the plant at a low flow rate through individual emission points or emitters using droplets of Water, and excludes sprinkler irrigation systems, micro-spray systems, misting systems, and Soaker Hoses.

**"Edible Plant"** means a plant grown for the purpose of human consumption.

**"Enactment"** means any applicable act, regulation, bylaw, order or authorization, by a federal, provincial, regional or municipal government or their authorized representatives.

**"Engineering and Regional Utilities Department"** means the City of Abbotsford's Engineering and Regional Utilities Department.

**"Fire Service"** means a Service installed to supply water for firefighting purposes.

**"Fixture"** means a connected regulator to control the distribution of water on the property.

**"General Manager"** means the general manager responsible for engineering and regional utilities of the City, and includes a person acting under the authority of the general manager.

**"Golf Course"** means the greens, tee areas and fairways that are designed and maintained as playing surfaces for golf, but does not include rough areas or lawn areas that are not maintained as playing surfaces;

**"Impermeable Surface"** means a material added to the surface of the ground, or on the exterior of a building or structure, that is impermeable to water, including but not limited to glass, wood, concrete, asphalt, paving stones and other similar materials.

**"Lawn"** means a cultivated area that is covered by grass, turf, or a ground cover plant such as clover, including areas such as boulevards, parks, school yards and cemeteries, but excluding Golf Courses, Soil-based Playing Fields and Sand-based Playing Fields.

**"Lawn Sprinkling Permit"** means a permit issued to allow manual or automatic lawn watering for the specified period on the permit for new lawns or European Chafer Beetle Nematode treatment.

**"Manual Watering"** means the application of water using a device or tool that is manually held or operated by a human being, without automatic watering.

**"Meter"** means the water Meter, endpoint, antenna or cables connecting these items, or any future add-ons, including, but not limited to, remotely actuated shut off valves or acoustic leak detectors.

**"Metered Service"** means a Service with a water meter or other measuring device attached for determining the quantity of water used or supplied.

**"Nematodes"** means a biological control targeting the European Chafer Beetle.

**"Non-residential Use"** means all land use other than residential use as defined in *Abbotsford Zoning Bylaw, 2014*, as amended, or any subsequent Zoning Bylaw adopted by the Council for the City.

**"Once-Through Cooling Equipment"** means cooling, air conditioning or refrigeration systems in buildings, building systems and equipment, which rely upon the temperature of the water for cooling purposes and deliver water to a drain or other discharge facility without having recycled that water, but does not include emergency back-up once-through cooling systems.

**"Owner"** has the same meaning assigned to it under the Community Charter and includes the authorized agent of the owner.

**"Parcel"** means a lot, block or other area in which land is held or into which it is subdivided.

**"Payment Plan"** means the details and conditions of re-payment of the connection charges by the

Applicant to the City, as determined by the General Manager.

**"Person"** means an individual, firm, company, association, society, partnership, corporation, local government, institution or other similar organization, agency or group as the context requires.

**"Premises"** means any land or building or both or any part thereof.

**"Stage"** means Stage 1 Restrictions, Stage 2 Restrictions, Stage 3 Restrictions, or Stage 4 Restrictions.

**"Sand-based Playing Field"** means a field constructed with a highly permeable sand- based root zone over a drainage system with drain pipes bedded in gravel, and is designed and maintained to be playable year-round.

**"Service"** means the supply of water from the Works to any Person and includes all pipes, taps, valves, connections, Meters and other appurtenances necessary to or actually used for the purpose of such supply.

**"Service Connection"** means the point of connection between the City water system and the system used by a customer of the City water system to obtain water from that system.

**"Service Agreement"** means an agreement between the Applicant and the City for a Service Connection.

**"Sewer"** means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the City for collecting, pumping and transporting Wastewater either to a Wastewater Treatment system, or otherwise, and includes, but is not limited to, all such pipes, conduits, drains and other equipment and facilities which connect with those of the City, and includes a Storm Sewer and Sanitary Sewer.

**"Soaker Hose"** means a garden hose or pipe with small holes that allow water to seep into the ground to the roots of plants, discharging water through the entire length of its porous surface.

**"Soil-based Playing Field"** means a field covered with grass, sod or turf that is designed and maintained to be played upon, or is used for sporting or other community events and activities, but does not include Lawns, Golf Courses or Sand-based Playing Fields.

**"Stage 1 Restrictions"** means the restrictions on Water use described in sections 1, 2, 3 and 4 of Schedule "B".

**"Stage 2 Restrictions"** means the restrictions on Water use described in sections 5, 6, 7, 8 and 9 of Schedule "B".

**"Stage 3 Restrictions"** means the restrictions on Water use described in sections 10, 11, 12, and 13 of Schedule "B".

**"Stage 4 Restrictions"** means the restrictions on Water use described in sections 14 and 15 of Schedule "B".

**"Substance"** includes and solid, liquid or gas.

**"User"** means any person who uses or intends to use the City water system.

**"Waste"** means any Substance that is, or is intended to be, discharged or discarded, directly or indirectly, to a Sewer.

**"Water"** means water that may come from either ground or surface water sources and has entered the City water system.

**"Water"** used as a verb, and **"Watering"**, mean the application or distribution of Water (used as a noun) to lands or plants with any device or tool and include both Automatic Watering and Manual Watering.

**"Water Features"** include fountains, pools, ponds, cascades, waterfalls, and streams.

**"Watercourse"** means

- (a) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of water; or
- (b) a canal, ditch, reservoir, or other man-made surface feature; whether it contains or conveys Water continuously or intermittently.

**"Water Management Plan"** means a plan proposed by the owner or operator of a Golf Course, Soil-based Playing Field, Sand-based Playing Field, cemetery or similar facility approved by the General Manager under section 5.

**"Water Play Park"** means a recreational facility that is primarily outdoors, where Water is designated for play, including spray pools and wading pools, spray parks, splash pads and water slides.

**"Works"** means any of the waterworks systems of the City.

**SCHEDULE "B"**  
**Stages of Water Restrictions**

**Stage 1 Restrictions – All Sectors**

1. Subject to Section 32 (2), when Stage 1 Restrictions are in force, no Person shall:
  - (1) Use a hose providing water without an equipped Automatic Shut-off Device at any time for any purpose;
  - (2) Allow Automatic Watering systems to be broken, leaking or misdirected on Impermeable Surfaces;
  - (3) Watering a lawn or landscaping at premises described in a valid and subsisting Permit, as outlined in Section 34, is permitted during the specified times, provided the Person is and has been at all times in compliance with the Permit;
2. Subject to Section 32 (2), the following watering is permitted:
  - (1) trees, shrubs, decorative gardens and planters if carried out by Manual Watering, or by Soaker Hose or Drip/Micro Spray Irrigation;
  - (2) Edible Plants; and
  - (3) Golf Courses

**Stage 1 Restrictions – Residential**

3. Subject to Section 32 (2), when Stage 1 Restrictions are in force, no Person shall:
  - (1) Water a Lawn, except for properties zoned for residential use:
    - (a) with civic addresses ending in an even digit:
      - i. when applying Automatic Watering on Saturdays between the hours of 5:00 a.m. and 7:00 a.m.;
      - ii. when applying Manual Watering on Saturdays between the hours of 6:00 a.m. and 9:00 a.m.;
    - (b) with civic addresses ending in an odd digit:
      - i. when applying Automatic Watering on Sundays between the hours of 5:00 a.m. and 7:00 a.m.;
      - ii. when applying Manual Watering on Sundays between the hours of 6:00 a.m. and 9:00 a.m.;
  - (2) Water trees, shrubs, decorative gardens and planters, except:
    - (a) applying Automatic Watering on properties zoned for residential between the hours of 5:00 a.m. to 9:00 a.m. on any day;

## **Stage 1 Restrictions - Industrial & Commercial and Institutional**

4. Subject to Section 32 (2), when Stage 1 Restrictions are in force, no Person shall:
  - (1) Water a Lawn, except for properties zoned for Non-residential Use or for combined Non-residential Use:
    - (a) with civic addresses ending in an even digit:
      - i. when applying Automatic Watering on Mondays between the hours of 4:00 a.m. and 6:00 a.m.;
      - ii. when applying Manual Watering on Mondays between the hours of 6:00 a.m. and 9:00 a.m.;
    - (b) with civic addresses ending in an odd digit:
      - i. when applying Automatic Watering on Tuesdays between the hours of 4:00 a.m. and 6:00 a.m.;
      - ii. when applying Manual Watering on Tuesdays between the hours of 6:00 a.m. and 9:00 a.m.;
  - (2) Water trees, shrubs, decorative gardens and planters, except:
    - (a) applying Automatic Watering on properties zoned for Non-residential Use or combined Non-residential Use between the hours of 4:00 a.m. to 9:00 a.m. on any day;
  - (3) Water Soil-based Playing Fields, except between the hours of 11:00 p.m. to 8:00 a.m. on alternate days, or under a Water Management Plan approved by the City;
  - (4) Water Sand-based Playing Fields, except between the hours of 11:00 p.m. to 8:00 a.m. on any day, or under a Water Management Plan approved by the City.

## **Stage 2 Restrictions – All Sectors**

5. Subject to section 32 (2), when Stage 2 Restrictions are in force, no Person shall:
  - (1) Water a Lawn;
  - (2) Water trees, shrubs, decorative gardens and planters:
    - (a) applying Automatic Watering on properties zoned for residential use outside of the hours of 5:00 a.m. to 9:00 a.m. on any day;
    - (b) applying Automatic Watering on properties zoned for Non-residential Use or combined Non-residential Use outside of the hours of 4:00 a.m. to 9:00 a.m. on any day;
  - (3) Use a hose providing water without an equipped Automatic Shut-off Device at any time for any purpose;
  - (4) Allow Automatic Watering systems to be broken, leaking or misdirected on Impermeable Surfaces;

## **Stage 2 Restrictions – Residential**

6. Subject to section 32 (2), when Stage 2 Restrictions are in force, no Person shall:
  - (1) Use a hose providing water to wash outdoor Impermeable Surfaces, unless the hose is equipped with an Automatic Shut-off Device and:
    - (a) the purpose is to prepare the surface for painting or similar treatment;
    - (b) the purpose is for the health or safety of any Person, or to prevent or control fires; or
    - (c) washing of the surface for aesthetic purposes is performed by a commercial cleaning service;
  - (2) Top-up or fill aesthetic water features with water;

## **Stage 2 Restrictions – Industrial and Commercial**

7. Subject to section 32 (2), when Stage 2 Restrictions are in force, no Person shall:

- (1) Water fairways of Golf Courses over more than one day within a 7-day period, except if Watering is done in compliance with a Golf Course Water Management Plan.

## **Stage 2 – Institutional**

8. Subject to section 32 (2), when Stage 2 Restrictions are in force, no Person shall:

- (1) Water Soil-based Playing Fields, except between the hours of 11:00 p.m. to 8:00 a.m. on alternate days, except if watering is done under a Water Management Plan approved by the City;
- (2) Water Sand-based Playing Fields outside of the hours of 11:00 p.m. to 8:00 a.m. daily, except if watering is done under a Water Management Plan approved by the City;
- (3) Operate a Water Play Park unless it is equipped with user-activated switches.

## **Exceptions**

9. Sections 5, 6, 7 and 8 of Schedule "B" do not apply to:

- (1) A Person who waters a lawn 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.
- (2) Watering of:
  - (a) trees, shrubs, decorative gardens and planters if carried out by Manual Watering, or by Soaker Hose or Drip/Micro Spray Irrigation; and
  - (b) Edible Plants

## **Stage 3 Restrictions – All Sectors**

10. Subject to Section 32 (2), when Stage 3 Restrictions are in force, no Person shall:

- (1) Water a Lawn;
- (2) Water trees, shrubs, decorative gardens and planters, except:
  - (a) if watering is carried out by Manual Watering;
  - (b) if watering is carried out using Drip /Micro spray Irrigation;
- (3) Use a hose providing water to wash boats or motor vehicles, unless the purpose of washing is to clean windows, lights, mirrors, license plates or boat engines for the purpose of safe operation and invasive species management;
- (4) Use a hose providing water without an equipped Automatic Shut-off Device at any time for any purpose;
- (5) Allow Automatic Watering systems to be broken, leaking or misdirected on Impermeable Surfaces;
- (6) Top-up or fill aesthetic water features with water;
- (7) Fill hot tubs or swimming pools with water, unless the hot tub or swimming pool possesses a valid operating permit in compliance with the local health authority; and
- (8) Plant any new trees, shrubs or turf.



### **Stage 3 Restrictions – Residential**

11. Subject to Section 32 (2), when Stage 3 Restrictions are in force, no Person shall:

- (1) Use a hose providing water to wash outdoor Impermeable Surfaces, unless the hose is equipped with an Automatic Shut-off Device and:
- (2) the purpose is for the health or safety of any Person, or to prevent or control fires;

### **Stage 3 Restrictions – Industrial & Commercial**

12. Subject to Section 32 (2), when Stage 3 Restrictions are in force, no Person shall:

- (1) Use a hose providing water to wash outdoor Impermeable Surfaces, unless the hose is equipped with an Automatic Shut-off Device and:
  - (a) the purpose is to prepare the surface for painting or similar treatment;
  - (b) the purpose is for the health or safety of any Person, or to prevent or control fires; or
  - (c) washing of the surface is performed by a commercial cleaning service;
- (2) Operate a Water Play Park unless it is equipped with user-activated switches;
- (3) Water fairways of Golf Courses, except if watering is done in compliance with a Golf Course Water Management Plan;
- (4) Operate a commercial vehicle washing facility, except for:
  - (a) if the wash and rinse water used in that operation achieves a minimum 60% water recovery rate over the full wash cycle; and
  - (b) hand wash and self-service facilities that operate using high-pressure wands or brushes that achieve a maximum flow rate of 11.4 litres per minute.

### **Stage 3 – Institutional**

13. Subject to Section 32 (2), when Stage 3 Restrictions are in force, no Person shall:

- (1) Water Soil-based Playing Fields over more than three days within a 7-day period and outside of the hours of 11:00 p.m. to 8:00 a.m., except if done under a Water Management Plan approved by the City; or
- (2) Water Sand-based Playing Fields over more than five days within a 7-day period and outside of the hours of 11:00 p.m. to 8:00 a.m., except if done under a Water Management Plan approved by the City.

## Stage 4 Restrictions – All Sectors

14. The General Manager is authorized to issue an order imposing such water use restrictions as the General Manager considers necessary where, because of special circumstances or conditions, such restrictions are necessary to ensure that essential Service will be maintained throughout the City.
15. When Stage 4 Restrictions are in force, no Person shall:
  - (1) Water a lawn;
  - (2) Water trees, shrubs, decorative gardens and planters;
  - (3) Water Edible Plants;
  - (4) Water Golf Courses; or
  - (5) Water Soil-based Playing Fields or Sand-based Playing Fields.
  - (6) Use a hose providing Water to wash boats or motor vehicles, unless the purpose of washing is to clean windows, lights, mirrors, license plates or boat engines for the purpose of safe operation and the hose is equipped with an Automatic Shut-off Device;
  - (7) Use a hose providing Water to wash outdoor Impermeable Surfaces, except if ordered by a regulatory authority having jurisdiction for health and safety reasons and the hose is equipped with an Automatic Shut-off Device;
  - (8) Use a hose to provide Water without an equipped Automatic Shut-off Device;
  - (9) Allow Automatic Watering systems to be broken, leaking or misdirected on Impermeable Surfaces;
  - (10) Top-up or fill aesthetic water features with Water;
  - (11) Top-up or fill hot tubs or swimming pools including those possessing a valid operating permit in compliance with the local health authority;
  - (12) Operate Water Play Parks; or
  - (13) Operate commercial vehicle wash facilities.