

## **TOWN OF WAINWRIGHT BYLAW 2024 – 03**

A Bylaw of the Town of Wainwright in the Province of Alberta to govern water use and water conservation measures during events of water shortage.

WHEREAS the Council of the Town of Wainwright in the Province of Alberta deems it advisable and necessary to make provisions for the restriction of the use of water and for the protection of the supply of water;

AND WHEREAS the Town of Wainwright, pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and amendments made thereto, is authorized to pass bylaws for municipal purposes respecting services provided by or on behalf of the municipality, as well as to enforce those bylaws in order to protect the Town's water supply;

NOW THEREFORE, the Council of the Town of Wainwright, in the Province of Alberta, duly assembled, enacts as follows:

### **1. TITLE**

This Bylaw shall be known as the "Water Conservation Bylaw".

### **2. DEFINITIONS**

For the purpose of this Bylaw:

"Bulk Water Consumer" means a person or corporation who, upon approval, purchases a bulk quantity of water via a metered Town hydrant or station.

"Bylaw Officer" means the Municipal Enforcement Officer of the Town of Wainwright.

"CAO" means the Chief Administrative Officer appointed by Council in accordance with the Act or an authorized designate.

"Consumer" means any person or persons, corporation, any other municipal corporation, the Government of Alberta or the Government of Canada whose property is connected to the water system or any Lessee or occupant of such property or any person who obtains water from any Town owned hydrant or station.

"Commercial, Industrial and Institutional Water User" means a consumer who is supplied a service to a premise principally used to conduct a profession, business, trade, industry, occupation or employment, and also includes institutional uses and apartment buildings.

"Council" means the Council of the Town of Wainwright.

"Residential Water User" means a consumer who is supplied a service to a premise that is used primarily for domestic purposes including but not limited to, single family dwellings, multi-family dwellings (excluding apartment buildings), mobile home parks and condominium developments.

“Town” means the Town of Wainwright, a municipal corporation in the Province of Alberta, and includes the area contained within the corporate boundaries of the Town of Wainwright.

“Violation Ticket” means a ticket issued pursuant to Part 2 or 3 of the Provincial Offences Procedure Act, R.S.A. 2000, P-34.

### **3. WATER CONSERVATION STRATEGIES**

- 3.1 The Town Council or CAO may at any time make orders restricting the use of water either by all consumers throughout the Town or in any particular area or areas of the Town. The order may specify the restricted use of water that shall apply during such hours of any day of the week.
- 3.2 The CAO is hereby delegated the authority to implement the requirements set out in this Bylaw, any new directions provided by Council, and any amendments to directions provided under this Bylaw, to ensure compliance with the use of water provided by the Town.
- 3.3 The Town presently provides potable water to all consumers through either the Town water distribution system or the bulk water station. At times where drought conditions exist in the Town, or as otherwise determined by Council, that affects the overall water supply of the Town, The Town will undertake the following:
  - (a) Assist all consumers by providing information that will encourage water conservation.
  - (b) Encourage commercial, industrial and institutional consumers to implement water conservation technology.
  - (c) Manage the overall supply of water in the Town in order to comply with the requirements by all water suppliers and users 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.
- 3.4 The Town Council or CAO may restrict, regulate or prohibit the hours during which water may be used for any purpose other than for firefighting.
- 3.5 The Town will provide notice of the state of water shortage and the water restriction imposed through whatever sources the CAO determines sufficient, which may include but is not limited to, the Town website, social media, video signs, signage, bulk notification and newspaper.
- 3.6 No person shall use any water from the water works system in contravention of the terms of any order made by the CAO under this section.
- 3.7 The restrictions may include the regulation, restriction or prohibition of the use of water supplied by the Town for consumers 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.

- 3.8 The restrictions may include outdoor watering such as lawns and gardens according to the schedule outlined as Schedule “C” attached hereto and forming part of this Bylaw.

#### **4. WASTING WATER**

- 4.1 All consumers or persons are prohibited from wasting water when water rationing is in effect.
- 4.2 Any consumer or person who wastes water supplied by the Town will pay a fine under this Bylaw. In determining if an activity constitutes wasting water, consideration will be given to the following:
- (a) The volume of water reasonably required to perform the activity undertaken;
  - (b) The length of time that water has been allowed to run;
  - (c) The degree of control exercised over the flow of water;
  - (d) The purpose to which the water is being put;
  - (e) The degree of restriction on water consumption presently in place; and
  - (f) The existence of any other factors reasonably suggesting that waste of water is occurring or has occurred.

#### **5. EXCEPTIONS**

- 5.1 Council may choose to exempt certain water users from provisions of all or portions of this Bylaw. Exemptions will be considered on a case-by-case basis.
- 5.2 When routine operational maintenance is being conducted and advance notification is provided by the Department of National Defence, the Town will consider whether a temporary decline in reservoir levels necessitates the implementation of water restrictions as outlined in Schedule “C”.
- 5.3 Should a State of Local Emergency (SOLE) be enacted, the SOLE will take precedence over this Bylaw.

#### **6. PENALTIES**

- 6.1 A consumer or person committing a breach of any of the provisions of this Bylaw, upon conviction of breach thereof, may forfeit the right to be supplied with water, and shall be liable to a penalty as established in Schedule “A”, attached hereto and forming part of this Bylaw, in the case of a residential user and to a penalty as established in Schedule “B”, attached hereto and forming part of this Bylaw in the case of a commercial, industrial or institutional water user, per incident of violation of the provisions of this Bylaw.
- 6.2 Where a Bylaw Officer has reason to believe that any consumer is committing, or has committed, a breach of any provision of this Bylaw, that Bylaw Officer is hereby authorized and empowered to serve that consumer with a violation ticket pursuant to Part 2 or 3 of the Provincial Offences Procedure Act.
- 6.3 Where contravention of this Bylaw is of a continuing nature, further violation tickets may be issued by the Bylaw Officer provided however, that no more than one violation ticket shall be issued for each day that the contravention continues.

7. EFFECTIVE DATE

7.1 This Bylaw shall come into full force and effect upon passing of the third reading.

READ a first time in Council this 20<sup>th</sup> day of August, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

READ a second time in Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

READ a third and final time in Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

Schedule “A”

Penalties for Residential Water Users

Offence	Amount
1 <sup>st</sup> Offence	\$100.00
2 <sup>nd</sup> Offence	\$250.00
3 <sup>rd</sup> Offence	\$800.00

Schedule “B”

Penalties for Commercial, Industrial and Institutional Water Users

Offence	Amount
1 <sup>st</sup> Offence	\$1,500.00
2 <sup>nd</sup> Offence	\$5,000.00
3 <sup>rd</sup> Offence	\$10,000.00

## Schedule "C"

### Water Restriction Schedule

The Town will use discretion to reduce the water pressure within the distribution system to supplement all restriction levels below.

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

**LEVEL 1:** When combined reservoirs level are at or below 50%.

ODD numbered addresses may water lawns on Tuesday, Thursday and Sunday. Watering may occur only during the following hours:

6:00 a.m. – 09:00 a.m.

5:30 p.m. – 09:30 p.m.

Odd numbered address consumers who use sprinkler systems on timers can water their lawn from 10:00 p.m. to 5:00 a.m. on Tuesday, Thursday and Sunday\*.

EVEN numbered addresses may water lawns on Monday, Wednesday and Saturday. Watering may occur only during the following hours:

6:00 a.m. – 09:00 a.m.

5:30 p.m. – 09:30 p.m.

Even numbered address consumers who use sprinkler systems on timers can water their lawn from 10:00 p.m. to 5:00 a.m. on Monday, Wednesday and Saturday\*.

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. This includes children's pools with a capacity of not more than 1,000 liters.

**LEVEL 2:** When combined reservoirs level are at or below 40%.

All outdoor water use is prohibited for all consumers (e.g. washing cars, sidewalks, pads, exteriors of buildings, recreational use of sprinklers and like water toys, pools).

Excepting:

ODD numbered addresses may water lawns on Thursday and Sunday. Watering may occur only during the following hours:

6:00 a.m. – 09:00 a.m.

5:30 p.m. – 09:30 p.m.

Odd numbered address consumers who use sprinkler systems on timers can water their lawn from 10:00 p.m. to 5:00 a.m. on Thursday and Sunday\*.

EVEN numbered addresses may water lawns on Wednesday and Saturday. Watering may occur only during the following hours:

6:00 a.m. – 09:00 a.m.

5:30 p.m. – 09:30 p.m.

Even numbered address consumers who use sprinkler systems on timers can water their lawn from 10:00 p.m. to 5:00 a.m. on Wednesday and Saturday\*.

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.

The operating hours of the Town Splash Park will be reduced and operating hours of other Town facilities will be reviewed.

Bulk water sales will be limited.

**LEVEL 3:** When combined reservoir levels are at or below 35%.

All outdoor water use is prohibited for all consumers (e.g. watering lawns, washing cars, sidewalks, pads, exteriors of buildings, recreational use of sprinklers and like water toys, pools).

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.

Use of the Town Splash Park will be prohibited. Operating hours of other Town facilities will be reduced where possible.

Bulk water sales will be suspended.

\* Consumers can set up their system to start as early as 10:00 p.m.