

UNION BAY IMPROVEMENT DISTRICT

WATER CONSERVATION AND DROUGHT MANAGEMENT BYLAW NO. 194, 2005

WHEREAS the Union Bay Improvement District has authority under section 746 of the *Local Government Act* to establish tolls and other charges, including charges for capital expenditures payable to the District and the times of their payment to regulate the distribution and use of water and to establish penalties for failure to comply with the regulations, and authority under section 745 of the *Local Government Act* and the District's Letters Patent to regulate the distribution of water and any thing incidental thereto.

AND WHEREAS the Union Bay Improvement District has established tolls and other charges by bylaw, which tolls vary by amount of usage in order to, among other things, encourage the efficient and economical use of water in the best interests of all users in the District;

AND WHEREAS the Trustees of the Union Bay Improvement District are further desirous of promoting the efficient and economical use of water including through encouraging conservation practices in order to minimize the risks of shortages during drought conditions;

NOW THEREFORE the Trustees of the Union Bay Improvement District in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as "Water Conservation and Drought Management Bylaw No. 194, 2005".

Application

2. This Bylaw applies to all Commercial and Residential Properties, which receive water from the Union Bay Improvement District (the "**District**").

Interpretation

3. In this Bylaw:
 - (a) "**Commercial Property**" means a Property on which an income is derived from the use of the property.
 - (b) "**District**" means the Union Bay Improvement District.

- (c) "**Property**" includes parcels and lots, and portions thereof where more than one water connection exists, is required or has been requested and provided.
- (d) "**Stages**" means Stages 1, 2 and 3 as prescribed in sections 5, 6 and 7 of this Bylaw respectively.
- (e) "**Water Use Restrictions**" means the provisions identified in sections 8, 9 and 10 of this Bylaw.
- (f) "**Water**" or "**Watered**" as a verb used in sections 8, 9 and 10, means to water a lawn, boulevard, trees, shrubs, flowers and vegetables, or any of them.

Prohibition

- 4. No person shall use water or cause water to be used contrary to the Water Use Restrictions outlined in this Bylaw in effect at the time of the use.

Stages

- 5. Stage 1 is in effect from May 1st to September 30th, both inclusive, every year, except when either Stage 2 or Stage 3 is in effect further to the provisions of this Bylaw.
- 6. Stage 2 is in effect immediately upon:
 - (a) the level of Langley Lake dropping to or below 12 feet, as measured by the measure stick on the intake located directly south of the dam at Langley Lake; and
 - (b) a notice identifying that Stage 2 restrictions apply being:
 - i. placed by the District on the Notice Board located at the District's offices;
 - ii. broadcast over a local radio station; and
 - iii. published in a local newspaper.
- 7. Stage 3 is in effect immediately upon:
 - (a) the level of Langley Lake dropping to or below 10 feet, as measured by the measure stick on the intake located directly south of the dam at Langley Lake; and
 - (b) a notice identifying that Stage 3 restrictions apply being:

- i. placed by the District on the Notice Board located at the District's offices;
- ii. broadcast over a local radio station; and
- iii. published in a local newspaper.

Water Use Restrictions During Stages 1, 2 and 3

8. During Stage 1, Residential Properties may only be watered for a maximum of four (4) hours per day, as follows:
 - (a) Properties with even numbered addressed may only be watered on even numbered days; and
 - (b) Properties with odd numbered addressed may only be watered on odd numbered days.
9. During Stage 2,
 - (a) Subject to section 9(b), Residential Properties may only be watered for a maximum of four (4) hours per day, two (2) days per week, as follows:
 - (i) Properties with even numbered addressed may only be watered on even numbered days;
 - (ii) Properties with odd numbered addressed may only be watered on odd numbered days;
 - (b) No Residential Property may exceed 50 m³ of water usage per monthly period, including as calculated as a projection of daily average usage during Stage 2;
 - (c) No Commercial Property may exceed 300 m³ of water usage per monthly period, including as calculated as a projection of daily average usage during Stage 2.
10. During Stage 3,
 - (a) Residential Properties may not be watered;
 - (b) No Residential Property may exceed 25 m³ of water usage per monthly period, including as calculated as a projection of daily average usage during Stage 3;
 - (c) No Commercial Property may exceed 250 m³ of water usage per monthly period, including as calculated as a projection of daily average usage during Stage 2.

Violations of Water Use Restrictions

11. The District will investigate complaints and, upon determining that a violation of the Water Use Restrictions has occurred, will:
 - (a) for the first violation, give notice to the owner or occupant of the Property deemed to be in violation by the District advising of the violation;
 - (b) for the second and each subsequent violation in each calendar year,
 - (i) give notice to the owner or occupant of the Property deemed to be in violation by the District advising of the violation, and
 - (ii) suspend water service to the Property for a 24-hour period.

INTRODUCED and given first reading by the Trustees on the 16th day of June 2005.

RECONSIDERED and finally passed by the Trustees on the 16th day of June 2005.

Passed June 16, 2005