

**NORTH SALT SPRING WATERWORKS DISTRICT**  
**BY-LAW NO. 274**

A By-law for regulating the distribution and use of water and prescribing penalties for non-compliance with the regulations.

The Trustees of the North Salt Spring Waterworks District ENACT AS FOLLOWS:

**Interpretation**

1. In this By-law, unless the context otherwise requires:
  - a) "Waterworks District" or "District" means the North Salt Spring Waterworks District.
  - b) "Trustees" means the Trustees of the Waterworks District elected under the provisions of the Water Act and the Letters Patent of the District and currently holding office.
  - c) "Manager" means the employee of the District authorized by the Trustees to manage the affairs of the District under their direction and control and to act from the time to time on their behalf.
  - d) "Water" means water conveyed through or made available by District works.
  - e) "Works" means anything capable of or useful for diverting, storing, measuring or conveying, conserving, retarding, confining or using water.
  - f) "District works" means those works that are owned, operated or maintained by the District.
  - g) "Occupier" means the person (Owner, tenant or other) who has control of a building or premises either for business or for residence or any other purpose to which the District has provided water service connection.

**Service Connections.**

2. Applications for connections to the District works shall be made to the District by the owner of the premises, his agents or person occupying or about to occupy the premises, on the form available from the District office. Each application shall be accompanied by the prescribed fee. The Trustees may approve or disapprove any application. Reasons for a connection refusal include, but are not limited to:
  - a. the proposed connection does not comply with the provisions of this and other applicable bylaws of the District;

- b. the proposed connection exceeds the demand for the parcel that the district is required to supply;
  - c. the District has an insufficient water supply to provide such parcel with a supply of water.
3. If and when the District requires information relative to the premises or the works proposed to be connected to the Districts additional to that indicated on the standard form, such information shall be supplied before the application for connection is considered by the Trustees.
4. No connection to the District works shall be made until approval of the District has been obtained and such connection shall be made only under the supervision of the District Manager or designate.
5. Any installation or construction related or designed to make use of the connection done prior to the receipt of approval for the connection will be the owner's sole responsibility and risk.
6. Where an applicant for water service requires a quantity, pressure or type of service that may jeopardize the safety or sufficiency of the District works, the Trustees may require the said applicant to pay all or part of the cost of the upgrading the District works to meet such requirements whether such upgrading is to be made immediately or in the future. A formal agreement may be required.
7. When so required by the Trustees, the Trustees shall be notified by the applicant when the works to be connected to the District works are ready to be approved by the District Manager. A pressure test may be required.

### Changes in Applications and/or Ownership or Tenancy

8. Notification of any changes in ownership and/or tenancy of the premises supplied with the District water from that shown on the "Application for a Water Service Connection" shall be made promptly to the District.
9. No person shall make any change in the use of the premises or of the water supplied by the District from that shown on the "Application for Water Service Connection" without prior permission of the Trustees who may grant, grant with conditions or refuse such permission.
10. No change or addition to the number or type of fixtures on a premises for the purpose of expanding a residential, commercial or industrial enterprise shall be made until notice thereof has been given in writing to the Trustees and written permission therefor obtained. Any extra charge or higher than payable due to the change or addition shall be paid before the change or addition is commenced.

## Right of Access

11. The Trustees, Manager, Waterworks Supervisor and authorized employees of the District shall have the right of free and unobstructed access at all reasonable hours of the day after due notice has been given, to all parts of the premises to which District water is delivered in order to carry out the lawful business of the District and no person shall obstruct, interfere or deny them such access.

## District Works

12. No unauthorized person shall damage, open, shut, adjust, interfere or tamper with any of the Districts works.
13. No person shall obstruct in any manner access to any part of the District works including fixtures or appurtenances thereto attached and should any person so obstruct such access in any way he will have committed an offence under this by-law and the District may remove such obstruction and recover the cost of such removal from the offending person and the offending person shall have no right of action for the recovery of the cost of any damage incurred thereby.
14. No unauthorized person shall wilfully alter the reading of any District meter.

## Works on Private Property

15. Occupiers shall keep the works on their premises in good order and repair.
16. No person to whose premises water is supplied by the District shall make or permit to be made any connection or addition to his works other than is shown or indicated on his approved connection application without prior permission of the Trustees.
17. No person shall interconnect any portion of the works on or off his property which is supplied with water by the District with any other source or body of water whatsoever.
18. No device that can intentionally or by accident introduce any substance into the water within or outside of any premises shall be installed without the express permission of the Trustees. Such permission will not be given unless the Trustees, in consultation with the Health Department are satisfied that such substance cannot enter the District works.
19. Wherever water supplied by the District is to be placed into a well, pond, swimming pool, stock watering trough, cistern or any container open to the atmosphere, it shall be done in such a manner that it is impossible for the water in such well, swimming pool, watering trough, cistern or container to flow into the District works under any circumstances.
20. An approved swimming pool shall be equipped with a recirculation and filtration system as set out in Part V of the swimming pool, spray pool and wading pool Regulations under the *Health Act*.

## Water Use Regulation

21. No person shall use water derived from the District works for any purpose other than the intended purpose at the particular premises to which it is delivered nor permit it to be taken from the premises except in the event of an emergency, or with the permission of the Trustees. The intended purpose for a water connection is determined by the service classification of the connection.
22. No person to whose premises water is supplied will make, or permit to be made, any additional connection to the service of either temporary or permanent nature, for the purpose of supplying water to another building or house trailer, recreational vehicle on the property supplied with water, or any other property without permission of the District.
23. No owner or occupant of any premises supplied with water by the District shall sell, dispose of, or give away water or permit the same to be taken away or applied for the benefit of other persons or premises, except by the permission of the Trustees.
24. No person shall waste water. The Trustees or Financial Officer may, at their sole discretion, reduce the tolls charged for water by granting a Leak Allowance. All requests for a Leak Allowance are to be reviewed per the District's Leak Allowance Policy, if they are satisfied that water had been wasted on the premises due to cause beyond the reasonable control of the occupier a Leak Allowance may be granted as defined in the Policy.
25. No person shall use water for the filling of swimming pools or reservoirs, or for any purpose other than that required for normal domestic use, except by written permission of the Trustees. Applicants shall state the purpose, the time of use, the amount of water required and any relevant information requested by the Trustees. The Trustees may require special works to be installed or altered and impose additional charges.
26. No person or business shall use water derived from the District to operate a car wash or power-washing business during Conservation Levels 3 and 4 except by express permission of the Trustees.
27. No person shall use any water service as motive power for the purpose of operating machinery without permission of the Trustees who may terminate or withdraw such permission at any time.
28. The amount of water supplied to the consumers will be measured by the District and the reading of the meters from time to time shall form the basis for the consumption of the tolls.
29. Where any meter does not register or which registers incorrectly, the Trustees shall compute the amount of the tolls on the basis of the quantity of water used during the period when the meter was registering correctly or from other information they may obtain and the amount so calculated shall be payable.

30. The District does not guarantee a specific pressure or a continuous supply of water, or water of a quality to meet special requirements. The District reserves the right to interrupt water service at any time. Whenever possible the District will give notice of interruptions in excess of four consecutive hours to those customers affected.
31. In case of a break of the District works or any part thereof, due to accident or otherwise or in the event of conditions arising whereby an emergency is created or when there is an actual or anticipated demand beyond the ability of the District works to provide water to all its customers, the Trustees may limit the amount of water that may be used by any or all customers by rationing, reduction of pressure or any other means they consider fit and proper in the interests of efficient operation of the District works and the equitable distribution of water.
32. The Trustees may at any time introduce regulations restricting the use of water for sprinkling or any other purpose per Schedule A of this bylaw; Water Conservation Levels. Upon receiving due notice of such restriction, no person shall use water for the purpose forbidden by or in excess of the limits imposed by such restrictions. Due notice of restrictions shall be given either by publication in a newspaper circulating within the District or by mail or both.
33. During periods of water rationing by means of sprinkling regulations or otherwise, no person shall waste water by sprinkling in excess of reasonable amounts, or use an open pipe or hose for irrigation purposes.

### Penalties

34. The Trustees may order the water turned off from any premises where tolls have been owing to the District for two months or longer.
35. The Trustees may, on 24 hours written notice, turn off the supply of water to any person in default of the regulations of this by-law. The person in default shall not be entitled to receive any further water from the District until such person has remedied the default. It shall be unlawful for any person whose water has been turned off pursuant to this section, to turn such water on again or take any water from the District works until such time as the Trustees again turn on the water.
36. Every person who disobeys or fails to comply with any provision of this by-law shall be guilty of an offence. The corporate officer will send to the property owner, by registered mail or hand-delivery, a written notice of the violation, citing the bylaw section being contravened and stating what the owner must do to comply with the bylaw within a stated timeframe, not to exceed five (5) business days.

The Notice will state that a court injunction may be sought to cease the activity or remedy the condition if the property owner does not comply with the notice as immediate action is

required because non-compliance might result in damage to property or the water system. Steps may also be taken to lay a charge under the provisions of the *Offence Act*. A penalty of up to six months in jail or a \$2,000 fine, or both, could be imposed by the Court if a summary conviction is obtained from the Court.

37. This By-law repeals By-law No. 268 of the District.

38. This By-law may be cited as the “Water Distribution Regulation Bylaw 2016”.

INTRODUCED and given first reading by the Trustees on the 17th day of February 2016.

RECONSIDERED and finally passed by the Trustees on the 17<sup>th</sup> day of February 2016.

Original signed by:

Marshall J. Heinekey

Chairman of the Trustees

Anne Williams

Secretary to the Trustees, Financial Officer

I hereby certify under the Sea; of the North Salt Spring Waterworks District that this is a true copy of By-law No. 274 of the North Salt Spring Waterworks District, passed by the Trustees on the 17<sup>th</sup> day of February 2016.

Anne Williams

Secretary to the Trustees, Financial Officer

**BYLAW 274 - SCHEDULE A**  
**WATER DISTRIBUTION REGULATION BYLAW 2016**  
**WATER CONSERVATION LEVELS**

The North Salt Spring Waterworks District (the District) may issue a notice prohibiting, restricting or limiting the use of water. Water Conservation Levels are determined through analysis of lake levels, demand, precipitation, drought conditions, weather forecasts and other information deemed relevant to water supply in order to ensure adequate water supply to district ratepayers and to enable compliance with all water licence conditions and applicable regulations and legislation. Such notice shall be sufficiently given if delivered in writing, on the District's website, or advertised in a newspaper published or circulating on the island. Any person who refuses or fails to abide by such prohibition, restriction or limitation contained in the notice shall be deemed to have contravened this bylaw.

**1. Water Conservation Level 1 - Every Other Day Watering - April, September, and October**

1.1. Sprinkler Watering

**Note:** For Levels 1-3 "Sprinkler Watering" includes all overhead and spray-type systems and micro and drip irrigation type systems.

Odd numbered civic addresses may water on odd numbered days and even numbered civic addresses may water on even numbered days. Watering times are 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. and for no more than three (3) hours in duration per period with a maximum of six (6) hours of total allocated watering per day.

For multi-unit stratas, watering applications may be applied based on "unit numbers" or "irrigation zones" to achieve the net same level of watering on permitted days (i.e. half of the watering/irrigation is undertaken on odd numbered days and half on even numbered days). This approach requires the prior written consent of the Trustees.

1.2. Landscape and Vegetable Gardens

Vegetable gardens, shrubs, trees and flowers are restricted to a hand held container or a hose equipped with a shut-off nozzle if watered outside of the times permitted for a maximum of 1 hour per watering day.

1.3. Vehicle and Boat Washing

Vehicles, RVs, and boats may be washed with water using a hand held container or hose equipped with a shut-off nozzle.

1.4. Driveways, Sidewalks, Parking Lots and Buildings

Persons may use District supplied potable water to wash sidewalks, driveways or parking lots and exterior building surfaces.

1.5. Wading Pools and Hot Tubs

Wading pools and hot tubs may be filled with water.

1.6. Swimming Pools, Garden Ponds and Water Features

Swimming pools, garden ponds and water features may be filled with water upon application for and receipt of a filling permit from the District.

1.7. Public Parks, Open Space, and Sports Fields

Public parks, open space, and sports fields may be watered.

**2. Water Conservation Level 2 - Every Other Day Watering - May, June, July, and August**

2.1. Sprinkler Watering

Odd numbered civic addresses may water on odd numbered days and even numbered civic addresses may water on even numbered days. Watering times are 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. and for no more than two (2) hours in duration per period with a maximum of four (4) hours of total allocated watering per day.

For multi-unit stratas, watering applications may be applied based on "unit numbers" or "irrigation zones" to achieve the net same level of watering on permitted days (i.e. half of the watering/irrigation is undertaken on odd numbered days and half on even numbered days). This approach requires the prior written consent of the Trustees.

2.2. Landscape and Vegetable Gardens

Vegetable gardens, shrubs, trees and flowers are restricted to a hand held container or a hose equipped with a shut-off nozzle if watered outside of the times permitted for no more than one (1) hour in duration per watering day.

2.3. Vehicle and Boat Washing

Vehicles, RVs, and boats may be washed with water using a hand held container or hose equipped with a shut-off nozzle.

2.4. Driveways, Sidewalks, Parking Lots and Buildings

No person shall use District supplied potable water to wash sidewalks, driveways or parking lots and exterior building surfaces, except as necessary for applying a product such as paint, sealers, preservative and stucco, or preparing a surface prior to paving or brickwork.

2.5. Wading Pools and Hot Tubs

Wading pools and hot tubs may be filled with water.

2.6. Swimming Pools, Garden Ponds and Water Features

Swimming pools, garden ponds and water features may be filled with water upon application for and receipt of a filling permit from the District.



2.7. Public Parks, Open Space, and Sports Fields

Public parks, open space, and sports fields may be watered upon application for and approval of a special watering permit.

**3. Water Conservation Level 3 - Every Other Day Watering - As required at the discretion of the District**

3.1. Sprinkler Watering

Odd numbered civic addresses may water on odd numbered days and even numbered civic addresses may water on even numbered days. Watering times are 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. and for no more than one (1) hour in duration per period with a maximum of two (2) hours of total allocated watering per day.

For multi-unit stratas, watering applications may be applied based on "unit numbers" or "irrigation zones" to achieve the net same level of watering on permitted days (i.e. half of the watering/irrigation is undertaken on odd numbered days and half on even numbered days). This approach requires the prior written consent of the Trustees.

3.2. Landscape and Vegetable Gardens

Vegetable gardens, shrubs, trees and flowers are restricted to a hand held container or a hose equipped with a shut-off nozzle if watered outside of the times permitted for no more than one (1) hour in duration per watering day.

3.3. Vehicle and Boat Washing

Vehicles, RVs, and boats may be washed with water using a hand held container or hose equipped with a shut-off nozzle.

3.4. Driveways, Sidewalks, Parking Lots and Buildings

No person shall use District supplied potable water to wash sidewalks, driveways or parking lots and exterior building surfaces, except as necessary for applying a product such as paint, sealers, preservative and stucco, or preparing a surface prior to paving or brickwork.

3.5. Wading Pools and Hot Tubs

Wading pools and hot tubs may be filled with water.

3.6. Swimming Pools, Garden Ponds and Water Features

Filling of swimming pools, garden ponds and water features is banned.

3.7. Public Parks, Open Space, and Sports Fields

Watering of public parks, open space, and sports fields is banned.

**4. Water Conservation Level 4 - Comprehensive Water Ban – As required at the discretion of the District**

**4.1. Sprinkler Watering**

All outdoor watering is prohibited including newly seeded or sodded lawns, orchards, pastures or any other intensive agricultural or horticultural uses.

**4.2. Landscape and Vegetable Gardens**

Established vegetable gardens, shrubs, trees and flowers are restricted to a hand held container or a hose equipped with a shut-off nozzle system between the hours of 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. and for no more than one (1) hour total in duration per watering day. A micro-irrigation or drip-irrigation system may be used by odd numbered civic addresses on odd numbered days and even numbered civic addresses on even numbered days for a maximum of 1 hour per watering day during the specified watering times.

**4.3. Vehicle and Boat Washing**

All washing of vehicles, RVs, and boats is banned.

**4.4. Driveways, Sidewalks, Parking Lots and Buildings**

All washing and/or power washing of driveways, sidewalks, parking lots and exterior building surfaces is banned.

**4.5. Wading Pools and Hot Tubs**

Filling of Wading pools and hot tubs is banned.

**4.6. Swimming Pools, Garden Ponds and Water Features**

Filling of swimming pools, garden ponds and water features is banned.

**4.7. Public Parks, Open Space, and Sports Fields**

Watering of public parks, open space, and sports fields is banned.

**5. Special Watering Permits**

- i. A person who has installed a new lawn, either newly seeded or new sod, may apply to the District for a permit which will allow the new lawn to be sprinkled outside of permitted days. The permit shall be conspicuously displayed at the premises for which it is issued.
- ii. The operator of a public park, open space or sports field may apply to the District for a permit which will allow the lawn to be sprinkled during Conservation Level 2. The permit shall be conspicuously displayed at the premises for which it is issued.
- iii. New sod or newly seeded lawn may be sprinkled for 14 days after installation, provided a permit pursuant to Section (5)(i) has been issued for the premises at

which the new lawn has been installed.

- iv. After expiration of a permit issued under Section (5)(i), a person may apply for and may obtain subsequent permits under Section (5)(i).
- v. Permits will not be issued or be valid during the Water Conservation Level 3 and Level 4 restrictions.

## **6. Special Cases and Exemptions**

- i. Strata developments may vary hours of use as required, with prior written permission from the Trustees, to accomplish maintenance and upkeep in cases where developments have all irrigation systems separately metered and can demonstrate that inadequate times exist within water conservation levels to sustain plant stock.
- ii. Commercial users may vary watering hours with prior written permission of the Trustees. Requests for variations to this regulation must be made annually.
- iii. The District is exempt from conservation levels to allow for proper operations and maintenance of the water utility system, but will practice conservation measures as much as possible.