



City of Port Moody

CONSOLIDATED FOR CONVENIENCE

Bylaw No. 2657

WATER SHORTAGE RESPONSE PLAN BYLAW

WHEREAS there is a desire to provide an effective method of water conservation within the City and to cooperate with the Greater Vancouver Water District to regulate the use of water supplied for outdoor uses;

AND WHEREAS pursuant to section 8(2) of the Community Charter, S.B.C., 2003, c 26, as amended, Council has the authority by bylaw, to establish and regulate a service to all or part of the City;

NOW THEREFORE, the Council of the City of Port Moody, in open session assembled, enacts as follows:

1. CITATION

This Bylaw may be cited as the "Water Shortage Response Plan Bylaw No. 2657".

2. DEFINITIONS AND INTERPRETATION

In this Bylaw:

- (a) "Automatic Shut-off Device" means a device attached to a water hose that is spring loaded and shuts off the supply of water automatically unless hand pressure is applied to allow the supply of water.
- (b) "City" means the City of Port Moody".
- (c) "City Engineer" means the Director of Engineering, Parks & Operations and shall include the duly authorized designate.
- (d) "Commissioner" means the Commissioner of the Greater Vancouver Water District.
- (e) "Drip irrigation" means a system using irrigation components which consume less than 20 gallons (91 litres) per hour and operate at less than 25 PSI (172 kPa) to deliver Water to the root zone of the plant material being irrigated.

Amended by
BL2895



- (f) “Lawns” includes grass growing at cemeteries.
- (g) “Non Residential Address” means those addresses not zoned residential specifically, including mixed zoning or mixed use, where commercial or industrial uses are included on the same property along with residential, and the property is subject to the landscaping being watered by and in ground sprinkling system.
- (h) “Permit” means a permit issued under Part 5.
- (i) “Person” does not include a municipality, a regional district, the provincial government, or any body appointed or created under an enactment of Canada or British Columbia.
- (j) “Public Announcement” means one or more advertisements or public service announcements in any one of:
 - (i) a television or radio broadcast from a station that broadcasts to the City of Port Moody;
 - (ii) a newspaper or other publication intended for general circulation, including one that is distributed without charge to the reader, that contains news and advertising, and is distributed within the City of Port Moody at least once per week.
- (k) “Restriction Stage” means Stage 1 Restrictions, Stage 2 Restrictions, Stage 3 Restrictions, or Stage 4 Restrictions.
- (l) “Stage 1 Restrictions” means the restrictions on Water use described in sections 1.1 and 1.2 of Schedule 1.
- (m) “Stage 2 Restrictions” means the restrictions on Water use described in sections 2.1 and 2.2 of Schedule 1.
- (n) “Stage 3 Restrictions” means the restrictions on Water use described in sections 3.1 and 3.2 of Schedule 1.
- (o) “Stage 4 Restrictions” means the restrictions on Water use described in sections 4.1 and 4.2 of Schedule 1.
- (p) “Water” used as a noun means water supplied directly or indirectly by Greater Vancouver Water District or the City of Port Moody, whether or not mixed with rain water, gray water or recycled water.

- (q) “Water” used as a verb, and “Watering”, mean the application or distribution of Water (used as a noun) to lands or plants but does not include the method known as “drip irrigation”;
- (r) “Water Play Park” means a recreational facility that is primarily out of doors, that includes water slides longer than 10 meters;
- (s) “Water Restriction Announcement” means a Stage 1 Announcement, Stage 2 Announcement, a Stage 3 Announcement or a Stage 4 Announcement.
- (t) “Water Use Plan” means a Water Use Plan approved by the *City Engineer* for a golf course operation under Part 5.

The schedules to this bylaw are integral parts of this bylaw.

The City Engineer may delegate some or all of his or her powers and duties under this Bylaw.

3. DECLARATION AND ANNOUNCEMENT OF RESTRICTION STAGES

- 3.1 (a) The Commissioner may, by letter to the City, declare that the Greater Vancouver Water District has activated a Restriction Stage.
- (b) If the Commissioner makes a declaration under subsection (a), the Restriction Stage described in the declaration comes into force in the City seventy-two hours after the Commissioner or the City makes a Public Announcement of the declaration.
- (c) When a Restriction Stage comes into force under this section, a Restriction Stage that had been in force, if any, ceases to be in force.
- 3.2 If no Restriction Stage is in force on June 1st of any year, Stage 1 Restrictions come into force on that date without prior declaration of the Commissioner or announcement under section 3.3.
- 3.3 (a) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 1 Restrictions, a Public Announcement by the City or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule “2”.
- (b) If the Commissioner declares that the Greater Vancouver Water District has activated Stage 2 Restrictions, a Public Announcement by the City or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule “3”.

- (c) If the Commissioner the Greater Vancouver Water District has activated Stage 3 Restrictions, a Public Announcement the City or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule “4”.
 - (d) If the Commissioner the Greater Vancouver Water District has activated Stage 4 Restrictions, a Public Announcement by the City or the Commissioner is sufficient for the purposes of paragraph 3.1(b) if it contains substantially the information set out in Schedule “5”.
- 3.4
- (a) No Restriction Stage remains in force after September 30th of any year, unless the Commissioner makes a declaration under this section.
 - (b) At any time before or after September 30th of any year the Commissioner may, by letter to the City declare that notwithstanding subsection (a), a Restriction Stage will remain in force or come into force after September 30th.
 - (c) Subsections 3.1(b), 3.1 (c) and section 3.3 apply to a declaration made under this section, with such changes as are necessary, except that a Public Announcement of a declaration under this section shall state that the Restriction Stage that is continued in force or that comes into force after September 30th will remain in force until further declaration of the Commissioner.
 - (d) The Commissioner may make one or more declarations under this section.

4. SPECIAL WATER USE PLANS

This section is not used.

5. PERMITS

- 5.1 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 City Engineer for a Permit authorizing the Person to Water the new Lawn and new landscaping when Stage 1 Restrictions or Stage 2 Restrictions are in force, at times specified in the Permit, at the premises described in the Permit, during the currency of the Permit. A Permit does not exempt the holder from Stage 3 Restrictions or Stage 4 Restrictions.
- 5.2 The City Engineer, upon being satisfied that an applicant qualifies under section 5.1, shall issue a Permit in the form set out in Schedule “6” to the applicant upon payment of a fee prescribed in the “City of Port Moody Fees Bylaw”.
- 5.3 A Permit issued under section 5.2 shall be affixed to a post facing the street serving the premises, beside the principal driveway from the street to the premises.
- 5.4 A Permit issued under section 5.2 shall expire and be of no force or effect 21 days after the date of its issue, unless the Person has been issued an extension under section 5.5.

- 5.5 Before or after the expiration of a Permit issued under section 5.2 a Person may apply for one extension of the Permit on the same terms and conditions as may be imposed under section 5.2. Such an extension shall end on or before 42 days from the date of the issue of the Permit under section 5.2.
- 5.6 A person who has treated a lawn by applying nematodes that require additional watering outside of the allowable sprinkling restrictions may apply to the City Engineer for a Permit authorizing the Person to Water the affected area when Stage 1 Restrictions or Stage 2 Restrictions are in force, at times specified in the Permit, at the premises described in the Permit, during the currency of the Permit. A Permit does not exempt the holder from Stage 3 Restrictions or Stage 4 Restrictions.
- 5.7 The City Engineer, upon being satisfied that an applicant qualifies under section 5.6, shall issue a Permit in the form set out in Schedule 7 to the applicant.
- 5.8 A Permit issued under section 5.6 shall be affixed to a post facing the street serving the premises, beside the principal driveway from the street to the premises.
- 5.9 A Permit issued under section 5.6 shall expire and be of no force or effect 14 days after the date of its issue.

6. OFFENCES AND PENALTIES

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- 6.1 Every Person who violates or contravenes any of the provisions of this bylaw, or suffers or allows to be done any act or thing that violates or contravenes this bylaw, commits an offence under this bylaw punishable on summary conviction and is liable to the fines set out in sections 6.2 and 6.3.

Sections 6.2 and 6.3 deleted by Bylaw 2895

- 6.2 Subject to section 6.3, if a prosecution is commenced pursuant to section 6.2(b), upon conviction the offender shall be liable to pay a fine:
- (a) for a first conviction for an offence, of not more than \$10,000 and not less than \$3,000;
 - (b) for a second or subsequent conviction for an offence, of not more than \$10,000 and not less than \$5,000 for each offence.
- 6.3 Where a prosecution is commenced against a commercial entity pursuant to section 6.2(b) for an offence committed while Stage 4 restrictions are in effect, whether or not a Water Use Plan is in effect for the offender, upon conviction that Person shall be liable to pay a fine of not less than \$5,000.
- 6.4 Section 6.4(b) applies whether or not a second or subsequent conviction is for conduct that preceded the conduct that is the subject matter of the prosecution then before the court.

- 6.5 If an offence under this bylaw continues for more than one day, separate fines each not exceeding the maximum fine for that offence may be imposed for each day or part thereof in respect of which the offence occurs or continues.
- 6.6 In a prosecution under this Bylaw the onus of establishing an exemption under subsections 1.2, 2.2, or 3.2 of Schedule 1 lies on the Person claiming the exemption.

7. DATE OF COMING INTO FORCE

This Bylaw comes into force and takes effect on the date of its passing.

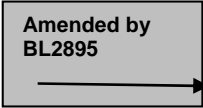
BYLAW 2657 ADOPTED	June 28, 2005
AMENDMENT No. 1, 2011, No. 2895	June 28, 2011
AMENDMENT No. 2, 2015, No. 3015	July 28, 2015

SCHEDULE 1 RESTRICTION STAGES

1. STAGE 1 RESTRICTIONS

1.1 Subject to section 1.2 of this Schedule, when Stage 1 Restrictions are in force, no Person shall:

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- (a) Water Lawns, except:
 - (i) Residential Addresses
 - (A) at premises with even numbered civic addresses, on Monday, Wednesday and Saturday between the hours of 4:00 a.m. and 9:00 a.m.; and
 - (B) at premises with odd numbered civic addresses, on Tuesday, Thursday and Sunday between the hours of 4:00 a.m. and 9:00 a.m.
 - (ii) Non-Residential Addresses
 - (A) at premises with even numbered civic addresses, on Monday and Wednesday between the hours of 1:00 a.m. and 6:00 a.m.; and
 - (B) at premises with odd numbered civic addresses, on Tuesday and Thursday between the hours of 1:00 a.m. and 6:00 a.m.; and
 - (C) at premises with odd and even numbered civic addresses, on Friday between the hours of 4:00 a.m. and 9:00 a.m.

- (b) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device;

1.2 Section 1.1 of this Schedule does not apply to:

- (c) a Person who Waters Lawns 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;
- (d) Watering:
 - (i) public sports playing fields;
 - (ii) school yards;
 - (iii) the playing surfaces of golf courses;
 - (iv) turf at turf farms;
 - (v) artificial turf or outdoor race tracks where watering is required for dust control or safety;
 - (vi) flower gardens, vegetable gardens, decorative planters, shrubs or trees.
- (e) commercial car washes.

2. STAGE 2 RESTRICTIONS

2.1 Subject to section 2.2 of this Schedule, when Stage 2 Restrictions are in force, no Person shall:



- (a) Water Lawns
 - (i) Residential Addresses
 - (A) at premises with even numbered civic addresses, on Monday only between the hours of 4:00 a.m. and 9:00 a.m.; and
 - (B) at premises with odd numbered civic addresses, on Thursday only between the hours of 4:00 a.m. and 9:00 a.m.

- (ii) Non-Residential Addresses
 - (A) at premises with even numbered civic addresses, on Wednesday only between the hours of 1:00 a.m. and 6:00 a.m.; and
 - (B) at premises with odd numbered civic addresses, on Tuesday only between the hours of 1:00 a.m. and 6:00 a.m.
- (b) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device;
- (c) use a hose providing Water to wash sidewalks, driveways, walls, roofs or other outdoor surfaces, unless the hose is equipped with an Automatic Shut-off Device, and the purpose of washing the surface is:
 - (i) to prepare a surface for painting, sealing, or similar treatment; or
 - (ii) for the health or safety of any Person, or to prevent or control fires; or
- (d) operate ornamental fountains.

2.2 Section 2.1 of this Schedule does not apply to:

- (e) a Person who Waters Lawns 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.
- (f) Watering:
 - (i) public sports playing fields;
 - (ii) school yards;
 - (iii) the tee-off areas and putting greens of golf courses;
 - (iv) turf at turf farms;
 - (v) flowers or vegetables at commercial vegetable or flower gardens;
 - (vi) artificial turf or outdoor race tracks where watering is required for dust control or safety;
 - (vii) flower gardens, vegetable gardens, decorative planters, shrubs or trees.
- (g) commercial car washes.

3. STAGE 3 RESTRICTIONS

3.1 Subject to section 3.1 of this Schedule, when Stage 3 Restrictions are in force, no Person shall:

- (a) Water:
 - (i) Lawns; or
 - (ii) flower gardens, vegetable gardens, decorative planters, shrubs or trees, unless such Watering is carried by hand with hoses equipped with Automatic Shut-off Devices, and is not carried out using sprinklers or soaker hoses.
- (b) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device, and the purpose of washing is to maintain visibility of lights or licence plates, or through windows, or is otherwise for the safe operation of the boat or motor vehicle;
- (c) operate a lawn sprinkler using Water for play;
- (d) use a hose providing Water to wash sidewalks, driveways, walls, roofs or other outdoor surfaces, unless the hose is equipped with an Automatic Shut-off Device, and the purpose of washing the surface is:
 - (i) to prepare a surface for painting, sealing, or similar treatment; or
 - (ii) for the health or safety of any Person, or to prevent or control fires;
- (e) operate ornamental fountains;
- (f) use Water to fill or re-fill garden ponds, ornamental fountains, hot-tubs, or swimming pools; or
- (g) use a hose providing Water unless the hose is equipped with an Automatic Shut-off Device.

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3.2 Section 3.1 of this Schedule does not apply to:

- (h) Watering:
 - (i) turf on turf farms;
 - (ii) public sports playing fields;
 - (iii) school yards;
 - (iv) the tee-off areas and putting greens of golf courses, provided that water is used only to the extent necessary to maintain the viability of the grass in those areas;

- (v) flowers or vegetables at commercial vegetable or flower gardens;
or
- (vi) artificial turf or outdoor race tracks if such Watering is required for dust control or safety; or.
- (i) commercial car washes.

4.0 STAGE 4 RESTRICTIONS

4.1 Subject to section 4.2 of this Schedule, when Stage 4 Restrictions are in force, no Person shall:

- (j) Water, or engage in drip irrigation using Water, of:
 - (i) Lawns or landscaping, whether newly planted or otherwise;
 - (ii) flower or vegetable gardens;
 - (iii) decorative planters;
 - (iv) shrubs or trees;
 - (v) artificial turf;
 - (vi) outdoor tracks.
- (k) use a hose providing Water to wash boats or motor vehicles, unless the hose is equipped with an Automatic Shut-off Device, and the purpose of washing is to maintain visibility of lights or licence plates, or the ability to see through windows, or is otherwise for the safe operation of the boat or motor vehicle;
- (l) operate a lawn sprinkler using Water for play;
- (m) use a hose providing Water to wash sidewalks, driveways, walls, roofs or other outdoor surfaces, unless the hose is equipped with an Automatic Shut-off Device, and the washing has been ordered by a regulatory authority;
- (n) operate ornamental fountains;
- (o) operate a Water Play Park or water slide;

- (p) use Water to fill or re-fill garden ponds, ornamental fountains, hot-tubs, or swimming pools;
- (q) use Water from a hose providing Water unless the hose is equipped with an Automatic Shut-off Device; or
- (r) operate a car wash.

For greater certainty, section 4.1 of this Schedule applies to all areas of:

- (i) golf courses;
- (ii) turf farms;
- (iii) sports playing fields; and
- (iv) school yards.

SCHEDULE 2 REPLACED BY BL2895

SCHEDULE 2

**INFORMATION FOR PUBLIC ANNOUNCEMENT OF
STAGE 1 RESTRICTIONS**

A Public Announcement of Stage 1 Restrictions is sufficient for the purposes of section 3.3 of this Bylaw if it includes substantially the following information:

1. Residential Addresses:
 - a. Even-numbered addresses - Monday, Wednesday and Saturday mornings (4 – 9 am)
 - b. Odd-numbered addresses - Tuesday, Thursday and Sunday mornings (4 – 9 am)
2. Non-Residential Addresses:
 - a. Even-numbered addresses - Monday and Wednesday mornings (1 – 6 am)
 - b. Odd-numbered addresses - Tuesday and Thursday mornings (1 – 6 am)
 - c. All non-residential addresses – Friday mornings (4 - 9 am)
3. That these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds.
4. That when washing a boat or motor vehicle other than at a commercial car wash, water hoses must be equipped with an automatic shut-off device (e.g., a nozzle that shuts off automatically unless hand pressure is applied).

SCHEDULE 3 REPLACED BY BL2895

SCHEDULE 3

**INFORMATION FOR PUBLIC ANNOUNCEMENT OF
STAGE 2 RESTRICTIONS**

A Public Announcement of Stage 2 Restrictions is sufficient for the purposes of section 3.3 of this Bylaw if it includes substantially the following information:

1. Residential Addresses:
 - a. Even-numbered addresses – Monday morning only (4 – 9 am)
 - b. Odd-numbered addresses - Thursday morning only (4 – 9 am)
2. Non-Residential Addresses:
 - a. Even-numbered addresses - Wednesday morning only (1 – 6 am)
 - b. Odd-numbered addresses - Tuesday morning only (1 – 6 am)
3. That these sprinkling regulations apply only to lawns, and not to gardens, shrubs, trees and flower beds.
4. That hosing or pressure washing of outdoor surfaces is only allowable for health, safety or preparing a surface for painting, sealing, or similar treatment.
5. That ornamental fountains must be shut down.
6. That when washing a boat or motor vehicle other than at a commercial car wash, water hoses must be equipped with an automatic shut-off device (e.g., a nozzle that shuts off automatically unless hand pressure is applied).

SCHEDULE 4 REPLACED BY BL2895

SCHEDULE 4

**INFORMATION FOR PUBLIC ANNOUNCEMENT OF
STAGE 3 RESTRICTIONS**

A Public Announcement of Stage 3 Restrictions is sufficient for the purposes of section 3.3 of this Bylaw if it includes substantially the following information:

1. That lawn sprinkling is not allowed by homes or businesses, including using sprinklers for children's play.
2. That residential and most commercial gardens, shrubs, trees and flower beds may only be watered by hand, by containers or drip irrigation.
3. That private (residential) pressure washing is prohibited, and that commercial hosing or pressure washing is only allowed for health, safety or preparing a surface for painting.
4. That ornamental fountains must be shut down.
5. That hand washing of vehicles is restricted to features required for safety (windows, lights, licenses).
6. That refilling of private, commercial and public swimming pools is prohibited.
7. That when washing a boat or motor vehicle other than at commercial car wash, water hoses must be equipped with an automatic shut-off device (eg., a nozzle that shuts off automatically unless hand pressure is applied).

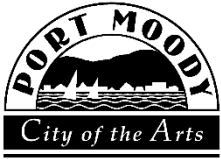
SCHEDULE 5 REPLACED BY BL2895

SCHEDULE 5

**INFORMATION FOR PUBLIC ANNOUNCEMENT OF
STAGE 4 RESTRICTIONS**

A Public Announcement of Stage 4 Restrictions is sufficient for the purposes of section 3.3 of this Bylaw if it includes substantially the following information:

1. That lawn sprinkling by homes or businesses is prohibited, including using sprinklers for children's play.
2. That watering of residential and commercial gardens, shrubs, trees and flower beds by any method is prohibited.
3. That drip irrigation is prohibited.
4. That private and commercial hosing or pressure washing is prohibited except if ordered by a regulatory authority.
5. That washing of vehicles using any method is prohibited except for features required for safety (windows, lights, licenses), including at commercial car washes.
6. That ornamental fountains must be shut down.
7. That refilling of private, commercial and public garden ponds, ornamental fountains, hot-tubs and swimming pools is prohibited.
8. That the operation of Water Play Parks is prohibited.



CITY OF
PORT MOODY

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Drive,
P.O. Box 36,
Port Moody, B.C.,
V3H 3E1, Canada

Tel. (604) 469-4500
Fax (604) 469-4550
www.cityofportmoody.com

AMENDED BY BL2895

**SCHEDULE 6
Water Shortage Response Plan Bylaw 2657**

**THIS PROPERTY IS TEMPORARILY EXEMPT
FROM CURRENT WATER RESTRICTIONS
UNDER BYLAW 2657 FOR NEW LAWN OR
LANDSCAPING**

**HOURS OF IRRIGATION WITH PERMIT
4:00 A.M. – 9:00 A.M. DAILY**

NAME _____

ADDRESS _____

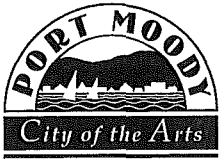
EXPIRES _____

PERMIT NUMBER _____

APPROVED BY _____

**FOR FURTHER INFORMATION PLEASE CALL
CITY OF PORT MOODY, @ 604-469-XXXX**

This permit is to be displayed in the front yard next to the principal driveway.



CITY OF
PORT MOODY

100 Newport Drive,
Port Moody, B.C.,
V3H 5C3, Canada

Tel. (604) 469-4500
Fax (604) 469-4550
www.portmoody.ca

ADDED BY BL3015

SCHEDULE 7

**City of Port Moody Water Shortage Response Plan Bylaw 2657, 2005,
Amendment Bylaw No. 2, 2015, No. 3015**

**THIS PROPERTY IS TEMPORARILY EXEMPT
FROM CURRENT WATER RESTRICTIONS
UNDER BYLAW 3015 FOR THE
APPLICATION OF NEMATODES
HOURS OF IRRIGATION WITH PERMIT
4:00 A.M. – 9:00 A.M. DAILY**

NAME _____

ADDRESS _____

EXPIRES _____

PERMIT NUMBER _____

APPROVED BY _____

**FOR FURTHER INFORMATION PLEASE CALL
CITY OF PORT MOODY, @ 604-469-4700**

*This permit is to be displayed in the front yard next to the principal driveway.
Note: Permit does not exempt the holder from Stage 3 and Stage 4 restrictions*