

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1234

A bylaw to regulate, prohibit and impose requirements in relation to the conservation of water.

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw shall be cited as “Water Conservation Bylaw No. 1234, 2025”.

Definitions

2. In this bylaw:

"Appliance" means a device or mechanism, other than that owned and operated by the Village of Cumberland, in or through which Water is piped or used for a domestic or commercial purpose.

"Boat" means a vessel propelled on water by an engine, oars or sails.

"Boulevard" means that portion of any highway other than the paved, improved or main traveled roadway, driveway or sidewalk and includes any landscaped median.

"Bylaw Enforcement Officer" means a person employed or contracted by the Village of Cumberland to enforce this bylaw.

“Director of Engineering and Public Works” means the person employed or contracted by the Village of Cumberland in that position.

"Exempted Person" means an Owner or Occupier of property identified in Schedule "A" as exempt from one or more of the regulations under this bylaw.

"Farm" means a parcel of land classified as farmland for assessment and taxation purposes.

"Fill" means to fill completely with Water.

"Micro-irrigation or Drip-irrigation System" means a system using irrigation components which consume less than 20 gallons per hour and operate at less than 25 psi to deliver Water to the root zone of the plant material being irrigated, and includes spray emitter systems (Micro-Sprays), point source emitters and linear tape systems as defined in the

BC Trickle Manual prepared and published by the BC Ministry of Agriculture and Food, Resource Management Branch (issue 1999), but does not include weeper or soaker hoses.

"Notice" means a Notice given under Section 7 of this bylaw.

"Nursery" means a business in which flowers, plants, trees or shrubs are grown or displayed for sale.

"Occupier" has the same meaning as in the *Community Charter*.

"Over-Watering" means to Water in a manner that saturates the lawn, Boulevard or landscaped area being watered and results in Water spreading onto areas beyond them.

"Owner" has the same meaning as in the *Community Charter*.

"Permit" means a Permit issued under Section 10(1) of this bylaw.

"Public Authority" has the same meaning as defined in the Community Charter.

"Restricted Hours" means those time periods during which watering is permitted in Schedule "A" of this bylaw.

"Sprinkler" means a hose connected or other sprinkler system but excludes a Micro-irrigation or Drip-irrigation system.

"Stage" means the Stages 1, 2, 3 and 4 of Water Use Restrictions prescribed in Schedule "A" of this bylaw.

"Vehicle" means a device in, on or by which a person or thing is or may be transported or drawn on a highway.

"Village" means the Corporation of the Village of Cumberland.

"Water" means Water supplied by the Village of Cumberland directly or indirectly to an Owner or Occupier or the act of using or applying such Water.

["Water Play Park" Deleted Bylaw 1271]

"Water Use Restrictions" means the restrictions prescribed in Schedule "A" of this bylaw.

"Watering Days" means those days during which Watering is permitted in Schedule "A" of this bylaw.

Application

3. The regulations, prohibitions and requirements in this bylaw are applicable within the boundaries of the Village of Cumberland.

Prohibitions

4.
 - (1) The prohibitions in subsections 4(2) and 4(3) are in force at all times of the year.
 - (2) No person shall damage or allow the deterioration of any Appliance so as to result in a waste of Water.
 - (3) 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
 - (a) allowing a tap or hose to run Water unnecessarily, and
 - (b) the Over-Watering of plants or lawns.
 - (4) No person, being an Owner or Occupier of property in the Village of Cumberland, shall use Water or cause Water to be used contrary to the Water Use Restriction provisions of this bylaw in effect at the time of use.

Inspection

5. A Bylaw Enforcement Officer has the authority to enter at all reasonable times on any property that is subject to this bylaw to ascertain whether the requirements of this bylaw are being met or the regulations in this bylaw are being observed.

Effective Dates of Stages and Restrictions

6.
 - (1) Stage 1 and the Water Use Restrictions for Stage 1 prescribed in Schedule "A" are in effect in each year from May 1 to September 30 both inclusive, except as provided under subsection (2).
 - (2) The Chief Administrative Officer is authorized to
 - (a) amend the effective period of time for Stage 1, and

- (b) terminate or bring into effect a Stage more restrictive than Stage 1 at any time of the year for any period of time.
- (3) The Stage determined under subsection (2) and the Water Use Restrictions prescribed under Schedule "A" for that Stage take effect on the commencement date stated in this bylaw or the commencement date for that Stage determined by the Chief Administrative Officer and remain in effect until that Stage is terminated.
- (4) A Stage will remain in effect until it is terminated by notification by the Chief Administrative Officer or otherwise under this bylaw, or until the commencement of another Stage.

Notice

- 7.
 - (1) The Chief Administrative Officer must provide advance public notice respecting the commencement date of Stage 1, 2 and 3 at least two days before the stage comes into effect.
 - (2) Public notice of Stage 4 must be given immediately before commencement.
 - (3) Public notice of termination of a Stage, other than Stage 1, or commencement of a less restrictive Stage must be given immediately before commencement.
 - (4) The public notice in this section must be provided by posting on the municipal website and any other notification determined by the Chief Administrative Officer.

Determination Factors

- 8. The determination of the Chief Administrative Officer will be upon consultation with the Director of Engineering and Public Works, and will consider the following factors:
 - (a) time of year and typical seasonal water demand trends;
 - (b) precipitation and temperature conditions and forecasts;
 - (c) current and forecasted storage levels and storage volumes of Cumberland's Reservoirs and draw down rates;
 - (d) stream flows and inflows into Cumberland's Reservoirs;
 - (e) water usage, recent consumption and trends, and customer compliance with restrictions on Water use under this bylaw;
 - (f) the effects of climate change; and

- (g) any other factor the Chief Administrative Officer considers to be relevant for making a determination under section 6(2) and in consideration of estimated water usage for the remainder of the effective dates of this bylaw.

Water Use Restrictions

- 9. Every person must comply with the Water Use Restrictions for each Stage prescribed in Schedule "A" to this bylaw during the period that the applicable Stage is in effect.

Permits, Exemptions and Special Cases

- 10.
 - (1) During Stage 1, a person who has installed a new lawn, either newly seeded or new sod, may apply to the Village of Cumberland for a Permit, which will allow the new lawn to be Sprinkled with Water outside of permitted days, but within Restricted Hours. The Permit shall be conspicuously displayed at the premises for which it was issued.
 - (2) The Village of Cumberland shall issue a Permit to an applicant pursuant to subsection 1 upon payment to the Village of Cumberland of a fee in an amount determined by the Council.
 - (3) Under a permit, new sod may be watered for 21 days after installation and newly seeded lawn may be watered until growth is established or for 49 days after installation, whichever is less, provided a Permit pursuant to Section 1 has been issued for the premises at which the new lawn has been installed.
 - (4) Permits will not be issued nor will be valid during Stage 2, 3 and 4 restrictions.

Schedules

- 11. Schedule "A" of this bylaw forms part of and is enforceable in the same manner as this bylaw.

Penalty

- 12. A person who contravenes any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or violation of, or neglects to do or refrains from doing anything required to be done pursuant to any provision of this bylaw, commits an offence against this bylaw and is a separate offence each day the violation is caused or allowed to continue and is liable upon summary conviction to a fine of:
 - (a) not less than \$3,000 but not more than \$50,000 for a first conviction for an offence;

- (b) not less than \$5,000 but not more than \$50,000 for a second or subsequent conviction for an offence; and
- (c) not less than \$5,000 but not more than \$50,000 for conviction of an offence by the owner or operator of a commercial cleaning or commercial vehicle washing service for an offence committed while stage 4 restrictions are in force.

Repeal

13. "The Corporation of the Village of Cumberland Water Conservation Bylaw No. 807" and all amendments to it are repealed.

Severability

14. If any section or subsection of this bylaw is found to be invalid by a court of competent jurisdiction, the section or subsection may be severed from the Bylaw without affecting the validity of the remainder of the Bylaw.

READ A FIRST TIME THIS	14TH	DAY OF	JULY	2025.
READ A SECOND TIME THIS	14TH	DAY OF	JULY	2025.
READ A THIRD TIME THIS	14TH	DAY OF	JULY	2025.
ADOPTED THIS	28TH	DAY OF	JULY	2025.

Mayor

Corporate Officer

Schedule "A"

OUTDOOR WATER USE RESTRICTION STAGES

General Restrictions Applicable to All Stages (Stages 1 - 4)

1. During all stages of water use restrictions,
 - (a) All hoses must have an automatic shut-off device;
 - (b) Water must not unnecessarily run off on impermeable surfaces such as driveways, curbs, pathways or gutters when watering lawns or plants;
 - (c) Hoses and taps must not run unnecessarily; and
 - (d) Irrigation systems must not be faulty or misdirected and must be programmed to operate in accordance with the applicable restriction stage.

Stage 1 - Two Days Per Week Lawn Watering

2. During Stage 1 Water Use Restrictions,
 - (a) no person shall use a Sprinkler to water a lawn growing on a property with
 - (i) an even numbered address, except on Wednesday and Saturday between the hours of 4:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m.; and
 - (ii) an odd numbered address, except on Thursday and Sunday between the hours of 4:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m.; and
 - (b) a person may
 - (i) water trees, shrubs, flowers and vegetables on any day with a Sprinkler during the prescribed hours for Stage 1 lawn watering and on any day at any time if watering is done by hand-held container or a hose equipped with a shut-off nozzle;
 - (ii) water newly planted trees, shrubs, flowers and vegetables by any method during installation and for the following 24 hours;
 - (iii) use Micro-irrigation or Drip-irrigation systems to Water trees, shrubs, flowers and vegetables at any time on any day;
 - (iv) under the authority of a Permit, water new sod on installation and during the first 21 days after installation, and water newly seeded lawns until

growth is established or for 49 days after installation, whichever is less, but only during the prescribed Stage 1 lawn Watering hours;

- (v) water all weather playing fields at any time if failure to do so will result in a permanent loss of plant material: and
- (vi) wash a vehicle with Water using a hand held container or hose equipped with a shut-off nozzle and at car dealerships or commercial car washes.

3. As exceptions to the Stage 1 restrictions,

- (a) Owners or Occupiers of property who by reason of disability are unable to water their property within the restricted days and times, may water their property on any two days of the week for a maximum of 4 hours per day;
- (b) Nurseries, Farms, turf farms and tree farms are exempted from the restrictions;
- (c) Public Authorities may water lawns and Boulevards on any day but no more than two days per week; and

Stage 2 - One Day Per Week Lawn Watering

4. During Stage 2 Water Use Restrictions,

- (a) no person shall use a Sprinkler to water a lawn growing on a property with
 - (i) an even numbered address, except on Wednesday between the hours of 4:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m.;
 - (ii) an odd numbered address, except on Thursday between the hours of 4:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m.;
- (b) no person shall use Water to wash sidewalks, driveways or parking lots, exterior windows or exterior building surfaces, except as necessary for applying a product such as paint, preservative and stucco, preparing a surface prior to paving or repointing bricks, or if required by law to comply with health or safety regulations; and
- (c) a person may
 - (i) water trees, shrubs, flowers and vegetables on any day with a Sprinkler during the prescribed hours for Stage 2 lawn watering and on any day at

any time if watering is done by hand-held container or a hose equipped with a shut-off nozzle;

- (ii) water newly planted trees, shrubs, flowers and vegetables by any method during installation and for the following 24 hours;
- (iii) use Micro-irrigation or Drip-irrigation systems to water trees, shrubs, flowers and vegetables at any time on any day;
- (iv) water all weather playing fields at any time if failure to do so will result in a permanent loss of plant material; and
- (v) wash a vehicle with using a hand held container or hose equipped with a shut-off nozzle and at car dealerships and commercial car washes.

5. As exceptions to Stage 2 restrictions,

- (a) Owners or Occupiers of property who, by reason of disability, are unable to water their property within the restricted days and times, may water their property on one day per week for a maximum of 4 hours per day;
- (b) Nurseries, Farms, turf farms and tree farms are exempted from the restrictions;
- (c) Public Authorities may water lawns and Boulevards on any day but no more than one day per week; and

Stage 3 - No Lawn Watering

6. During Stage 3 Water Use Restrictions,

- (a) no person shall
 - (i) water a lawn or Boulevard;
 - (ii) Fill a swimming pool, hot tub or garden pond;
 - (iii) Fill or operate a non re-circulating fountain at any time; or
 - (iv) wash a Vehicle or a Boat with water;
 - (v) flush water mains;
 - (vi) use Water to wash sidewalks, driveways or parking lots, exterior windows or exterior building surfaces, except as necessary for applying a product such as paint, preservative and stucco, preparing a surface prior to paving or repointing bricks, or if required by law to comply with health or safety regulations.

[Bylaw 1271]

- (b) a person may
 - (i) water trees, shrubs, flowers and vegetables on any day between the hours of 4:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m. if watering is done by hand-held container or a hose equipped with a shut-off nozzle;
 - (ii) water newly planted trees, shrubs, flowers and vegetables between the hours of 4:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m. only by hand-held container or a hose equipped with a shut-off nozzle during installation and during the following 24 hours after installation is completed;
 - (iii) use Micro-irrigation or Drip-irrigation systems to water trees, shrubs, flowers and vegetables on any day between the hours of 4:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m.;
 - (iv) water all weather playing fields between 9pm and 7am up to 3 days per week, but only if failure to do so will result in a permanent loss of plant material.

7. As exceptions to the Stage 3 restrictions,

- (a) Nurseries, Farms, turf farms and tree farms are exempted from the restrictions;
- (b) Vehicles and Boats may be washed with Water only at car dealerships and commercial car washes using less than 57 litres of Water per Vehicle wash or 50% recirculated Water as long as the total amount of Water, excluding recirculated Water, does not exceed 57 litres per Vehicle wash.

Stage 4 – Severe/Emergency

- 8. (1) During Stage 4 all use of water for any purpose other than drinking, food preparation and personal hygiene is prohibited.
- (2) Without limiting the generality of subsection (1) of this section, during Stage 4 water use restrictions no person shall
 - (a) Water a lawn or boulevard;
 - (b) Water gardens, plants, trees, shrubs, or flowers by any means;
 - (c) Fill a swimming pool, hot tub, or garden pond;
 - (d) Fill or operate a non-recirculating fountain at any time

- (e) Wash outdoor surfaces, exterior windows, or exterior building surfaces;
[Bylaw 1271]
- (f) Wash vehicles and boats except to clean windows, lights, mirrors, license plates or boat engines for safety;
- (g) Water all weather fields at any time.

9. The following uses of water are exemptions to the Stage 4 restrictions:

- (a) water use for firefighting;
- (b) drinking water for animals or livestock;
- (c) watering food producing plants using a micro drip watering system only;
- (d) water use when required by law to comply with health or safety regulations, or to comply with an order of a regulatory authority having jurisdiction, such as WorkSafe BC or a public health inspector; and
- (e) [deleted Bylaw 1271]