

TOWN OF OLDS
BYLAW NO. 2024-17

***BEING A BYLAW OF THE TOWN OF OLDS TO ESTABLISH AND DEFINE WATER
CONSERVATION***

WHEREAS, pursuant to section 7 of the Municipal Government Act, Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, pursuant to section 3 (a.1) of the Municipal Government Act, one of the purposes of a municipality is to foster the well-being of the environment.

BYLAW TITLE: This Bylaw may be cited as the “**Water Conservation Bylaw.**”

DEFINITIONS

1. **Chief Administrative Officer (CAO)** Municipal Government Act, Section 207
 - a. Is the administrative head of the municipality;
 - b. Ensures that the policies and programs of the municipality are implemented;
 - c. Advises and informs the Council on the operation and affairs of the municipality;
 - d. Performs the duties and function and exercises the powers assigned to a Chief Administrative Officer by this and other enactments or assigned by Council.
2. **Consumer** means any person who has entered into a contract with the Town for the provision of water services.
3. **Council** means the Municipal Council of the Town of Olds.
4. **Dual-Flush Toilets** means all toilets that have a 6-litre maximum full flush for solids and a 4-litre maximum reduced flush for liquids.
5. **Essential** means circumstances that require immediate action, including but not limited to, events related to public health or safety.
6. **Litres per Minute (lpm)** means the amount of water in litres passing through a pipe per minute.
7. **Municipal Violation Ticket** means a Town-issued notice that alleges an offence and provides a person with the opportunity to pay an amount to the Town in lieu of prosecution for the offence.
8. **Occupant** means any Person other than the Owner who is in possession of the Property, including, but not limited to, a licensee, tenant, or agent of the Owner.
9. **Once-through Cooling Equipment** means cooling, air conditioning or refrigeration systems in buildings, building systems and equipment (including stand-alone ice machines), which rely

upon the temperature of the water supply for cooling purposes and deliver water to a drain or other discharge facility without having recycled that water.

10. Owner means:

- a. any Person registered as the Owner of the Property under the *Land Titles Act*;
- b. a Person who is recorded as the Owner of the Property on the Assessment Roll of the Town;
- c. a Person who has become the beneficial Owner of the Property, including by entering into a Purchase and Sale Agreement, whether they have purchased or otherwise acquired directly from the Owner or from another purchaser, and who has not yet become the registered Owner thereof;
- d. a Person holding himself out as the Person exercising the power or authority of Ownership or, who for the time being exercises the powers and authority of Ownership over the property; or
- e. a Person in control of the property under construction.

11. **Officer** means a person appointed by the Town to enforce the provisions of this bylaw including a Bylaw Enforcement Officer, Community Peace Officer, or a member of the RCMP.

12. **Person** means firm, corporation, owner, occupier, lessee, or tenant.

13. **Potable Water** means water that is treated through a municipal treatment facility, suitable for human consumption.

14. **Town** means the Town of Olds.

15. Violation Ticket means a Violation Ticket issued in accordance with the *Provincial Offences Procedure Act* R.S.A. 2000, c.P-34.

16. **Water Conservation Plan** means a document that outlines the projected water use of a development and describes actions to be taken to reduce water loss, waste and consumption. May include, but not be limited to, low flow fixtures, rain gardens, tree trenches, green roofs, Xeriscaping etc.

17. **Water Use Restriction** means limitations placed on the use of Potable Water within Town limits.

18. **Xeriscaping** means gardening practices that use native plants and drought-tolerant species which require less water and chemicals.

NEW DEVELOPMENT REQUIREMENTS

19. That all Development Permit applications include a Water Conservation Plan describing the efforts that will be made, as outlined in Schedule "D".

20. That all Development Permits issued for new construction, renovation, or basement development projects for residential properties, including multi-unit residential buildings, will be required to have water efficient plumbing fixtures which meet the following mandatory minimum requirements:

- a. All flush toilets must be Dual-Flush Toilets or shall have an average flush of 4.5 liters or less.
 - b. All flush toilet models must conform to certification by the Canadian Standards Association under section B45 and amendments thereto, at the time of installation.
 - c. All showerheads must be rated not to exceed 7.6 lpm.
 - d. All household lavatory faucets to be fitted with a tap aerator and have a maximum flow rate of 5.7 lpm.
 - e. All household kitchen faucets are to be fitted with a tap aerator and to have a maximum flow rate of 5.7 lpm.
21. That all Developments issued for new construction, renovation, or basement development projects for residential properties, including multi-unit residential buildings, will be asked to institute the following water conservation measures:
- a. Downspouts to be directed away from the foundation and not onto adjacent properties and be incorporated into landscaping plans such that rainwater is maximized for trees, shrubs, and lawns.
 - b. Installation of water-conserving washers.
 - c. Installation of water-conserving dishwashers.
 - d. Underground irrigation systems to be equipped with a high flow shutoff valve.
 - e. Minimum 8 inches of topsoil for growth areas.
 - f. Xeriscaping planning and implementation.
 - g. At least one rain barrel per home.
22. That Development Permits issued for new construction, development, retrofitting or restoration of commercial, institutional, industrial, or municipal buildings will be required to meet the following water efficient requirements for plumbing and mechanical fixtures:
- a. All public restroom urinals to be waterless or have a total water usage of no greater than 3.8 liters per flush.
 - b. All flush toilet models must conform to certification by the Canadian Standards Association under section B45 and amendments thereto, at the time of installation.
 - c. All lavatory faucets to have a tap aerator and to have a maximum flow rate of 1.9 lpm
 - d. No person shall install or allow the installation of any Once-Through Cooling Equipment connected to the Town's Potable Water supply, in any construction, development, retrofitting or restoration project.

WATER MANAGEMENT MEASURES

23. To promote the conservative management of resources, the CAO or designate requires that a Water Use Restriction as described in Schedule "A" of this Bylaw is always in force, for all Consumers, including residential, industrial, commercial, and institutional, unless declared otherwise.
24. Notwithstanding Section 22 of this Bylaw a Consumer can apply for a Water Use Exemption Permit described in Schedule "C":
- a. When installing new sod or grass seed in order to use water outside of the Water Use Restriction schedule in order to establish new landscaping; or
 - b. When using an irrigation system, is equipped with a smart meter including rain sensing technology.

25. In the event there may be a shortage of Potable Water supply, the CAO or designate may declare a Water Use Restriction to regulate the distribution and use of Potable Water from the Potable Water Distribution System to all Consumers or to any of them including the time or times of day when the use of Potable Water may be allowed or prohibited in accordance with Schedule "A" of this Bylaw.
26. The declaration of a Water Use Restriction by the CAO or designate may apply to:
 - a. the entire town; or
 - b. specific zone(s) or geographic area(s) of the town; or
 - c. other specific locations as defined by the CAO or designate.
27. In the event there is reason to declare a Water Use Restriction, the CAO or designate may declare such restriction to be effective immediately.
28. When a Water Use Restriction is in effect, no Owner or Occupant of a Premises shall allow the use of Potable Water supplied through the Potable Water Distribution System for any activity or application prohibited in the following stage of restrictions as listed in Schedule "A" of this Bylaw:
 - a. Level 1;
 - b. Level 2;
 - c. Level 3;
 - d. Level 4;
29. Without limiting the generality of Section 24 of this Bylaw, the activities permitted in Schedule "A" of this Bylaw shall only apply to core business operations of an affected business and shall not apply to landscaping activities which are not a core function of a specific business or enterprise.
30. The CAO or designate must provide written approval for the following activities:
 - a. Pesticide or fertilizer application requiring the use of a large volume (over 5000 L) of Potable Water; and
 - b. Testing of irrigation systems.
31. The following activities are exempt from the Water Use Restrictions:
 - a. Emergency services
 - b. Essential hydrant and water main flushing;
 - c. Essential street cleaning; and
 - d. Livestock watering for agricultural operations.

OFFENCES AND ENFORCEMENT

Enforcement

32. An Officer is hereby authorized and empowered to issue a Notice, Municipal Violation Ticket or Violation Ticket to any Person who the Office has reasonable and probable grounds to believe has contravened any provision of this Bylaw. The Officer may commence proceedings against such a Person.

33. Municipal Violation Tickets and Violation Tickets will be issued in accordance with the Provincial Offences Act and the Town's General Penalty Bylaw.

Continuing Offence

34. In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than established by this Bylaw for each such separate offence.

Fines and Penalties

35. Any Person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than TWO THOUSAND FIVE HUNDRED DOLLARS (\$2500.00) and not less than FIFTY DOLLARS (\$50.00).
36. The specified fines for an offense committed pursuant to this bylaw are set forth in in the attached Schedule "B".

Interference With Duties

37. it is an offence to interfere, obstruct, or hinder and person authorized by the Town, including Officers and other authorized persons, in the exercise or performance of the person's powers pursuant to this Bylaw.

READINGS

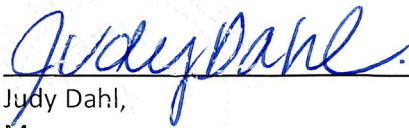
Read for a first time on the 22nd day of April 2024.

Read a second time on the 22nd day of April 2024.

Received unanimous consent for third reading on the 22nd day of April 2024.

Read a third and final time on the 22nd day of April 2024.

SIGNATURE LINE



Judy Dahl,
Mayor



Brent Williams,
Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 23rd day of April 2024.

Schedule "A" **Water Use Restriction Levels**

Note: These restrictions apply to the use of Potable Water and do not apply to the use of rainwater, stormwater, or other alternate water source.

LEVEL 1:

The following residential uses are permitted only during even numbered days at addresses ending in an even number (0, 2, 4, 6, 8) and odd numbered days at addresses ending in an odd number (1, 3, 5, 7, 9):

- Landscape watering: lawns, gardens, trees, shrubs (between 7 pm and 7 am)
- Filling swimming pools and spas
- Filling of fountains and other water features

LEVEL 2:

The following residential uses are not permitted:

- Landscape watering: lawns, gardens, trees, shrubs
- Filling swimming pools and spas
- Filling of fountains and other water features
- Washing of vehicles, homes, driveways, windows, patios, paths, boats, etc.
- Use of water toys
- Outdoor ice or snow making

The following non-residential uses are not permitted:

- Lawn, green spaces, and sports field watering
- Washing of driveways, paths, patios, windows, etc.

LEVEL 3:

The following residential uses are not permitted:

- Landscape watering: lawns, gardens, trees, shrubs
- Filling swimming pools, spas, fountains, and other water features
- Washing of vehicles, homes, driveways, windows, patios, paths, boats, etc.
- Use of water toys
- Outdoor ice or snow making

The following non-residential uses are not permitted:

- Lawn, green spaces, and sports field watering
- Washing of driveways, paths, patios, windows, etc.
- Bulk water sales
- Use by commercial nurseries and market gardens
- Use by commercial car wash facilities
- Limiting non-essential water use at commercial, industrial, and institutional facilities
- Use of splash park

LEVEL 4:

- Only residential use for consumption, preparation of food, sanitary and hygienic purposes is permitted.
- Only essential commercial, industrial, and institutional use is permitted such as hospitals, firefighting, etc.

Schedule "B"
Fines and Penalties

Unless otherwise noted all offences of the Water Bylaw have the following specified penalties.

Penalty in Lieu of Prosecution (PLP)	1st Offence	2nd Offence	3rd Offence
\$125	\$250	\$500	\$750

Specified penalties are as follows:

Section	Description of Offence	Penalty Instead of Prosecution	Specified Penalty
20	Failing to install Low Flow Plumbing Fixtures.	\$50	\$200
28	Use of water contrary to Level 1 Schedule.	\$100	\$300
28	Use of water contrary to Level 2 restrictions.	\$200	\$1,000
28	Use of water contrary to Level 3 restrictions.	\$300	\$1,500
28	Use of water contrary to Level 4 restrictions.	\$500	\$2,500

Schedule "C"
Water Use Exemption Permit Application

As per Bylaw 2024-17 Water Conservation a consumer can apply for a Water Use Exemption Permit when installing new sod or grass seed to use water outside of the Water Conservation Use Schedule to establish new landscaping or when using an irrigation system equipped with a smart meter with rain sensing technology.

First and Last Name *

Mailing Address (including Postal Code) *

Phone Number *

Email Address *

Area to Water (Sq Ft or Sq M) *

Date Requested *

Terms and Conditions are as follows: *

- ☐ By clicking this box, I acknowledge that for the first 2 weeks of the exemption, I am permitted to water twice daily to achieve a deep soaking of my new or a portion of my lawn and to improve the survivability of the lawn.
- ☐ By clicking this box, I acknowledge that after the first 2 weeks I am permitted to water my new or a portion of my lawn once daily for the duration of the Level 1 water restrictions.
- ☐ By clicking this box, I acknowledge that the Town of Olds has the right to restrict or deny watering exemptions at any time.

Schedule "D"



RESIDENTIAL WATER CONSERVATION PLAN TEMPLATE

Please e-mail completed form to planning@olds.ca

Use the tables below to describe what type of water conservation measures you will put in place in your home. This form is intended as a template, please attach supporting information as required.

Property Information

Property Address		
Landowner Name		Size of Home
# of Toilets	# of Faucets	# of Showerheads
# of Dishwashers	# of Washing Machines	Anticipated Water Volume Per Month (m3)

Water Conservation

Yes	No	Water Conservation Measures to Be Implemented (select all that apply)
		Dual flush toilets or low flow toilets with an average flush of 4.5 litres or less
		Showerheads rated to not exceed 7.6 litres per minute
		Faucets fitted with a tap aerator and a max flow rate of 5.7 litres per minutes
		Water conserving washing machine (Model: _____)
		Water conserving dishwashing machine (Model: _____)
		Drip irrigation system
		Irrigation system with rain sensor
		Drought tolerant landscaping (if yes, please attach a description)
		Xeriscaping (if yes, please attached a description)
		Minimum 8 inches of topsoil
		Hot water recirculation line
		Rain barrel (if yes, how many: _____)
		Other: (please attach description)



COMMERCIAL, INDUSTRIAL, INSTITUTIONAL WATER CONSERVATION PLAN TEMPLATE

Please e-mail completed form to planning@olds.ca

Complete a separate form for each facility/building. This form is intended as a template, please attach any supporting documentation.

Property Information

Customer (business) Name	
Facility Address	Industry Sector
Business Description	
Size of Facility (m2/ft2)	Anticipated Water Volume Per Year (m3)

Facility Water Usage

Use the table below to describe where water is used in your facility. Please provide a comprehensive description of all water using processes, operations, fixtures, etc.

Type/area of Water Usage for Each Facility	Approximate Water Use Per Year (m3)	Industrial Use (yes/no)	Monitoring Method
Water Used in Products			
Process Cooling			
Air Conditioning (central and units)			
Cooling Tower			
Pump Cooling			
Refrigeration Units			
Domestic (washrooms, kitchens, etc.)			
Irrigation			
Other (please describe)			
Total Industrial Water Use			
Total Facility Water Use			

Identified water saving opportunities may include replacement of plumbing fixtures, changes to current practices/processes, etc.

[illegible]