

CITY OF ST. ALBERT

BYLAW 22/2015

Being a bylaw to establish and define water conservation.

Whereas, pursuant to section 7 of the Municipal Government Act, R.S.A. 2006, c.M-26, as amended, Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property:

City of St. Albert Council enacts:

Title

1. This Bylaw may be referred to as "The Water Conservation Bylaw."

Purpose and Definitions

2. The purpose of this Bylaw is to promote the efficient use of water in the community and reduce water waste.
3. In this Bylaw:
 - (a) "Bylaw" means this Water Conservation Bylaw;
 - (b) "Hose Nozzle" means a hand held and manually operated instrument which controls the flow of water and is attached to a hose;
 - (c) "Low Flow Plumbing Fixture" means:
 - (i) a toilet having a total water usage of no greater than 6.0 litres or 1.6 US gallons per flush, including the contents of both the tank and bowl of the toilet;
 - (ii) a urinal having a total water usage of no greater than 3.8 litres or 1.0 US gallons per flush, but does not include urinals which flush automatically after a period of elapsed time, regardless of the amount of water usage per flush;
 - (iii) a showerhead having a rate of water flow no greater than 9.5 litres or 2.5 US gallons per minute;
 - (iv) a residential sink faucet, including but not limited to kitchen faucets, bathroom faucets and laundry room faucets, having a rate of water flow no greater than 8.3 litres or 2.2 US gallons per minute; and

- (v) a public restroom faucet having a total water flow of no greater than 1.8 litres or 0.5 US gallons per minute;
- (d) "Municipal Violation Tag" means a City-issued notice that alleges an offence and provides a Person with the opportunity to pay an amount to the City in lieu of prosecution for the offence;
- (e) "Peace Officer" means a person employed for the purposes of preserving and maintaining the public peace, and includes:
 - (i) a provincially appointed Community Peace Officer;
 - (ii) a Bylaw Enforcement Officer authorized to enforce this Bylaw in accordance with his or her appointment; and
 - (iii) a Police Officer;
- (f) "Person" means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- (g) "Plumbing Fixture" means an exchangeable device which can be connected to a plumbing system to deliver and for the purposes of this Bylaw includes only toilets, urinals, showerheads, residential sink faucets, and public restroom faucets; and
- (h) "Violation Ticket" has the same meaning as in the Provincial Offences Procedure. Act.

Water Use Restrictions

- 4. Subject to Section 5 of this Bylaw, between May 1st and October 1st, no Person may use municipally supplied water from a hose, pipe, sprinkler, or permanent water irrigation system for the purpose of watering lawns, gardens, flower beds, shrubs, and trees except between the hours of 7:00 p.m. and 9 a.m.

Exemptions

- 5. The following circumstances are exempt from the restrictions noted under Section 4 of this Bylaw:
 - (a) watering of lawns, gardens, flower beds, shrubs, and trees by watering can or Hose Nozzle is permitted at any time;
 - (b) watering by drip irrigation is permitted at any time;
 - (c) the recreational use of sprinklers and water toys is permitted at any time;

- (d) newly laid sod and seeding lawns may be watered in any manner until the first cut only, or as would be deemed reasonable by a Peace Officer; and
- (e) other landscaping may be watered in any manner, to the extent that there is a risk that a new tree, shrub, or other vegetation will perish, as deemed reasonable by a Peace Officer.

Water Efficient Fixtures

- 6. Any Person installing Plumbing Fixtures for any new construction or renovation project for a residential, commercial, industrial, or institutional structure, whether or not a plumbing permit is required, shall install only Low Flow Plumbing Fixtures.
- 7. Notwithstanding anything contained in this Bylaw, the requirements set out in Section 6 hereof shall not be interpreted to:
 - (a) prevent the installation of more than one valve in a shower stall or lavatory; or
 - (b) include any shower head or faucet unit installed solely for safety or emergency purposes, which may include, but is not limited to, emergency safety showers and face/eye wash stations.
- 8. No Person shall remove or replace a Low Flow Plumbing Fixture that was previously installed in any new residential, commercial, industrial, or institutional construction with one that has a higher rated flow capacity than specified in this Bylaw.

Offence

- 9. Any Person who contravenes this Bylaw is guilty of an offence.
- 10. Every day during which a contravention continues is deemed to be a separate offence.

Fines and Penalties

- 11. A Person who commits an offence under this Bylaw is liable:
 - (a) to a fine of \$25.00; or
 - (b) on summary conviction, to a fine not exceeding \$10,000.00 or to an order of imprisonment for not more than 1 year, or both.

Municipal Violation Tag

12. A Peace Officer may issue, with respect to an offence under this Bylaw, a Municipal Violation Tag specifying the fine amount (including any early payment fine amount) established by this Bylaw.
13. Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

Violation Ticket

14. A Peace Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket:
 - (a) specifying the fine amount established by this Bylaw; or
 - (b) requiring an appearance in court without the option of making a voluntary payment.
15. Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

Effective Date of Bylaw

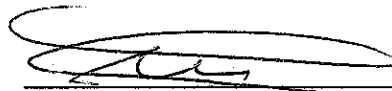
16. This bylaw comes into full force and effect on January 1, 2018.

READ a first time this 23rd day of November 2015.

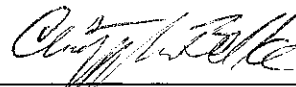
READ a second time this 23rd day of November 2015.

READ a third time this 7th day of December 2015.

SIGNED AND PASSED this 8 day of December 2015.



MAYOR



CHIEF LEGISLATIVE OFFICER