

**BEING A BYLAW OF THE TOWN OF VAUXHALL, IN THE PROVINCE OF ALBERTA,  
FOR THE PURPOSE OF GOVERNING WATER USE AND WATER CONSERVATION  
MEASURES DURING EVENTS OF WATER SHORTAGE WITHIN THE TOWN OF  
VAUXHALL.**

WHEREAS pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26, and amendments made thereto, the Council is authorized to pass bylaws for municipal purposes respecting services provided by or on behalf of the Town, as well as to enforce those bylaws.

AND WHEREAS the Municipal Council for the Town of Vauxhall deems it advisable and necessary to make provisions for the conservation and restriction of the use of water and for the protection of the supply of water.

NOW THEREFORE the Council of the Town of Vauxhall in the Province of Alberta, duly assembled, hereby enacts as follows:

**1.0 NAME OF BYLAW**

This Bylaw may be cited as the "Water Demand Management Measures."

**2.0 DEFINITIONS**

In this Bylaw:

**Act** means the Municipal Government Act, R.S.A. 2000, C. M-26, any regulations thereunder, and any amendments or successor legislation thereto.

**Address** refers to the number identifying a building, sometimes commonly referred to as "house number," though this number may also refer to commercial & industrial addresses.

**Bylaw** means the Water Demand Management Measures." established by the Municipality.

**Bylaw Enforcement Officer** means a person or persons appointed by the Chief Administrative Officer for the Town of Vauxhall pursuant to the provisions of the *Municipal Government Act*, Sections 555(1) and 556(a) and (b).

<b>Chief Administrative Officer</b>	means the Chief Administrative Officer (CAO) for the Town, regardless of the specific title that may be conferred on the Officer by Council from time to time.
<b>Council</b>	means the entire elected body of officials for the Town of Vauxhall.
<b>Customer</b>	means a customer that uses water for any purposes in a residential, commercial, or industrial property within the Town.
<b>Municipality</b>	means the Town of Vauxhall.
<b>Non-Essential Water Use</b>	<p>means supplied water that does not provide an essential service for the health and safety of citizens, food crops and livestock, is not required by regulation, and includes but is not limited to:</p> <ul style="list-style-type: none"><li>• Washing and/or pressure washing of vehicles, streets, sidewalks, parking lots and other paved areas or building exteriors, unless necessary for maintaining public sanitation and/or safety.</li><li>• Irrigation of lawns, trees, and ornamental plants (including through timed or programmed sprinkler systems).</li><li>• Filling of decorative fountains, swimming pools, hot tubs, or similar recreational water toys.</li><li>• Any other uses deemed non-essential by the CAO on an event specific basis, given the severity and specific circumstances of the specific event.</li></ul>

**Outdoor Water Use**

means the use of water outside of the building by customers, occupants and/or owners for the purpose of:

- Filling outdoor pools, hot tubs, or similar uses.
- washing of vehicles, driveways, sidewalks, or garage floors.
- filling of any fountains, ponds, or other decorative features.
- washing of exterior windows, siding, or stucco on buildings.
- watering of lawns, trees, gardens, and ornamental plants
- conducting any other outdoor water activity similar in nature to the foregoing.

**Person**

means any individual, corporation, society, association, partnership, or firm.

**Town**

means the Town of Vauxhall, a Municipal Corporation, in the Province of Alberta, or the geographical area contained within the boundaries of the Town of Vauxhall, as the context may require.

**Vehicle**

means a machine including but not limited to cars, trucks, tractors, trailers, recreational vehicles, all-terrain vehicles (ATVs) and motorcycles.

**Violation Ticket**

means a ticket which is authorized by the *Municipal Government Act*, R.S.A. (2000), Chapter M-26 or under the *Provincial Offences Procedure Act*, R.S.A. (2000), Chapter P-34, issued under Part 2 or Part 3, for any bylaw offence in which a penalty may be paid out of court in lieu of appearing.

to answer a summons.

**Water Restriction**

means the restriction on water use imposed by this bylaw (Level's I, II, III) as described in *Schedule "A"*.

**3.0 SUPPLY AND MANAGEMENT**

- 3.1 The Town of Vauxhall presently provides water to all customers through the Town water distribution system. At times where drought and emergency conditions exist, which affect the overall water supply of the Town, the Town will undertake the following:
- 3.1.1 Assist all customers by providing information that will encourage water conservation.
  - 3.1.2 Encourage any residential, commercial, industrial, or institutional customers to implement water conservation technologies; and
  - 3.1.3 Manage the water supplied to the Town in order to comply with the requirements of our water supplier through regulation, restriction, or prohibiting the use of water as set out in this Bylaw, any amendments hereafter or by a resolution of Council, duly enacted, for specific water use restriction issues.

**4.0 WATER CONSERVATION AND RESTRICTION STRATEGIES**

- 4.1 The Town may restrict, regulate, or prohibit the amount of, usage, and/or hours during which water may be used for any purpose other than for emergency.
- 4.2 For the purposes of Water Restrictions, odd and even addresses will refer to the "house number."
- 4.3 The restrictions may also include the use of water for aesthetic or recreational purposes, if deemed necessary by the Town.
- 4.4 The restrictions may include the regulation, restriction, or prohibition of the use of water supplied by the Town for any customer of Town water service

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by any method including, but not limited to, restricting volumes supplied on an ongoing basis, disconnection and shutting off water supply during controlled times of the day or for extended periods of time.

- 4.5 The determination as to when to declare a water shortage shall be solely at the discretion of the CAO for Levels I and II upon:
- 4.5.1 Consultation with Alberta Environment as the Town's water license holder or,
  - 4.5.2 Consultation with the Vauxhall and District Regional Water Services Commission and Bow River Irrigation District as the supplier of water services to the Town and area or,
  - 4.5.3 Discussions with the Director of Emergency Management or designate or,
- 4.6 These actions may become effective immediately and at the CAO's discretion for Levels I and II, having regard to factors including raw water supply (Bow River Irrigation District) and potable water supply (Vauxhall and District Regional Water Services Commission).
- 4.6.1 Any reported raw water supply limitation or restriction imposed.
  - 4.6.2 Any potable water supply limitation or restriction imposed.
  - 4.6.3 Any incident associated with a critical water system supply issue necessitates Water Restrictions.
- 4.7 Only Council of the Town of Vauxhall is permitted to restrict water usage for the Town at Level III Emergency Restrictions "Schedule A." A resolution of Council shall be required to enact Level III, and a rescinding resolution required to lift Level III Restrictions.
- 4.7.1 Should Council enact Level III Restrictions while a Level I or II Restriction is in place, the resolution of Council will automatically supersede the existing level, and the Level III Restrictions shall take immediate *effect* upon the resolution being passed by majority vote of Council.
- Should Council rescind Level III Restrictions, but the CAO determines Level I or II Restrictions still need to be in place, the CAO will enact an appropriate level at their discretion after a rescinding resolution of Council is passed.

- 4.8 When the CAO has declared a state of water shortage:
- 4.8.1 The CAO may impose a Level I or Level II Water Restriction as set out in *Schedule "A"* provided the form in *Schedule "B"* is signed by the CAO.
  - 4.8.2 The CAO shall not be required to impose levels of restriction in successive stages but may proceed to impose any level of restriction the CAO has determined is warranted in the circumstances.
- 4.9 The Town shall provide notice of the state of water shortage and the Water Restriction imposed through whatever media sources the CAO or designate determines sufficient and may include but not be limited to, signage, website, social media, direct mailing, and bulk media notification, and/or radio/television/newspaper.
- 4.10 When the CAO has imposed a Level I or Level II Water Restriction, no Person shall use Town supplied water contrary to the restriction as set out in *Schedule "A."*
- 4.11 The state of Water Restriction once imposed shall remain in effect until the CAO declares that the risk to the overall water supply has improved to an acceptable level and the Water Restriction has ended. The CAO shall rescind the Water Restriction using the form in *Schedule "C."*
- 4.12 An end to the Water Restriction will also be duly advertised to the public upon its termination.
- 4.13 Regardless of any Water Restriction in effect, water conservation measures will be promoted during times of low water levels by encouraging conservation activities.

## 5.0 EXCEPTIONS

- 5.1 For the purposes of this bylaw, municipal operations including (but not limited to) the use of water in municipal facilities, recreational facilities, municipal greenspaces, and other municipal services are exempted from water restrictions to maintain service levels to the community.
- 5.1.1 Notwithstanding the above, the Town of Vauxhall will make efforts to either limit, reduce, or eliminate non-essential water usage in municipal spaces and services wherever and whenever possible when water restrictions are in place. What shall be deemed non-essential to municipal operations will be at the discretion of the CAO and implemented on a case-by-case basis in relation to any restrictions that may be imposed.

- 5.1.2 The CAO may also choose to enact municipal-specific water restrictions within various municipal spaces as deemed prudent for water conservation up to and including the termination of services the CAO considers necessary until such time that the CAO determines the restrictions are no longer necessary.
- 5.2 In the event of water restrictions, fire hydrant flushing by the Town of Vauxhall will be allowed to occur to safeguard public health and safety.
- 5.2.1 Notwithstanding the above, where the Vauxhall and District Regional Water Services Commission report water level is not sufficient to engage the normal operations, fire hydrant flushing shall not occur.
- 5.3 Gardens cultivated exclusively for food consumption are exempt from water restrictions in Levels I and II and shall be allowed to be watered during any times/dates outlined in the Water Restrictions enacted and are subject to any restrictions on how the garden can be watered (i.e.: hand watering for Level II). Gardens are not exempt from Level III restrictions.
- 5.4 The Jets Stadium is supplied water by the Town of Vauxhall for the purposes of Infield irrigation. In the event of water shortages, their irrigation will be exempt except for Level III restrictions, whereby their irrigation must cease until the restrictions are lifted.
- 5.4.1 Notwithstanding the above, in the event of water shortages or Level I or II restrictions, the Town of Vauxhall will conduct discussions with the Jets Stadium to determine if there are water conservation actions or water use limits that can occur with regards to irrigating the Ball Fields.
- 5.5 Properties such as the Vauxhall Elementary School and Vauxhall High School which are irrigated directly from the Bow River Irrigation District system will be required to adhere to BRID imposed restrictions.
- 5.6 The CAO, at his/her discretion, may grant exceptions to the water use restrictions. Examples may include, but are not limited to, health and safety and critical commercial activities. What is deemed necessary for an exception shall be at the sole discretion of the CAO.
- 5.7 All exceptions must be granted in writing directly from the CAO to the Person seeking an exception before the exception is allowed to be carried out.
- 5.7.1 If a Violation Ticket is issued before the written exception is granted by the CAO, the ticket will remain valid.
- 5.8 Water that a Person can establish is not supplied by the Town is not subject to these restrictions. Examples of alternate water supplies include, but are not limited to, rain barrels filled by natural precipitation, private wells, water purchased from sources must comply with the Water & Sewer Bylaw "Terms of Conditions of Water Services / Alternate Water Supply".
- 5.9 Should the Government of Alberta impose any water restrictions above those of the Town of Vauxhall's restrictions, those shall take precedence.

**6.0 WASTING WATER**

- 6.1 No consumer will allow water to run off the property as a result of water uses including, but not limited to, lawn/property overwatering, broken irrigation, or infrastructure washing of surfaces, such that there is:
- 6.1.1 A stream running into a street or swale for an excessive distance from the edge of the parcel or property.
  - 6.1.2 A stream of water running into a street or swale and directly into a catch basin; or
  - 6.1.3 A stream or spray of water running into or discharging into a street or a sidewalk.
- 6.2 If a customer or other person contravenes any Section of this Bylaw, which incurs costs to the Town for repairs or replacement, the repairs or replacement may be performed by the Town at the expense of the person in contravention of this Bylaw. If the person in contravention does not pay such expenses within the period indicated in Section 8 upon being invoiced, the Town may recover the expenses therefore with costs by action in Court. This expense will be in addition to any fines or penalties imposed for contravention of this Bylaw.

**7.0 ENFORCEMENT**

- 7.1 A Person who violates any section of this Bylaw is guilty of an offence and liable, upon summary conviction, to a fine as set out by this Bylaw.
- 7.2 A Bylaw Officer who has reasonable grounds to believe a contravention of this Bylaw has occurred or is occurring is authorized and empowered to:
- 7.2.1 Issue a verbal and/or written warning to the Person violating this Bylaw and/or;
  - 7.2.2 Issue a Violation Ticket with or without having issued any such warning.
- 7.3 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- 7.3.1 Provide that the Person who has committed the offence, within a specified period, pay a specified penalty as listed in Section 8 of this Bylaw; or
  - 7.3.2 Require a Person to appear in court without the alternative of making a voluntary payment.



**8.0 PENALTIES**

8.1 A Person committing a breach of any of the provisions of this Bylaw, upon conviction of breach thereof, and shall be liable to penalty as outlined below:

LEVEL	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	Continuing Offences
I	N/A	N/A	\$100.00
II	\$100.00	\$250.00	\$500.00
III	\$250.00	\$750.00	\$1,500.00
Wasting Water	\$100.00	\$250.00	\$500.00

8.2 Any costs incurred by the Town as noted in Section 6 must be paid within thirty (30) days.

8.3 In addition to any penalty which may be imposed under this Bylaw, the Town may seek a court order granting relief in an injunction or any other order necessary to enforce compliance (including pursuant to Part 13 of the *Municipal Government Act*).

**9.0 INTENTION OF TOWN COUNCIL**

It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provision of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

**10.0 EFFECTIVE DATE**

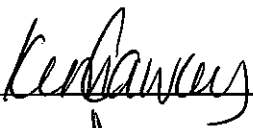
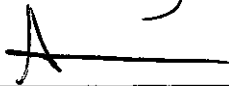
This Bylaw shall take effect on the day of the final passing and the signatures of the chief elected official and duly authorized designated officer thereof.

Read a First Time this 15 day of April 2024.

Read a Second Time this 6 day of May 2024.

Read a Third and Final Time this 6 day of May 2024.

**TOWN OF VAUXHALL**

  
 \_\_\_\_\_ Mayor  
  
 \_\_\_\_\_ Chief Administrative Officer

**Schedule "A"  
Water Restrictions**

**Level I**

All outdoor water use (as defined in the Bylaw) is permitted as follows:

<b>Addresses</b>	<b>May Only Use Water on the Following Days:</b>
Odd numbered addresses (addresses ending in 1, 3, 5, 7, 9)	Tuesdays, Thursdays, Sundays
Even numbered addresses (addresses ending in 0, 2, 4, 6, 8)	Mondays, Wednesdays, Saturdays

Watering of lawns, gardens, trees, and shrubs may only occur during the following hours:  
5:00am - 9:00am or 7:00pm - 10:00pm

**Level II: Mandatory Watering Restriction**

All outdoor water use (as defined in the Bylaw) is prohibited except watering lawns and filling of child size pools is restricted to the following schedule:

<b>Addresses</b>	<b>May Only Use Water on the Following Days</b>
Odd numbered addresses (addresses ending in 1, 3, 5, 7, 9)	Thursdays, Sundays
Even numbered addresses (addresses ending in 0, 2, 4, 6, 8)	Wednesdays, Saturdays

Watering may only occur during the following hours: 5:00am- 9:00am or 7:00pm. - 10:00pm

Flowerbeds, trees, shrubs, and vegetable gardens may be watered by hand, during prescribed times, using a watering can or a hose with a nozzle shutoff to restrict water flow.

Requests for site and condition specific irrigation scheduling, using a metered irrigation system may be approved in writing by the CAO. Written approval must be obtained prior to the excepted irrigation scheduling being implemented.

Requests for water conservation exemption permits for newly seeded lawns or freshly planted sod shall be applied for at the Town Vauxhall Administration Office prior to Level 11 Mandatory Water Restrictions if Level 1 Restrictions are currently not in effect.

**Level III: Emergency Mandatory Water Restrictions**

Town of Vauxhall Council is permitted to restrict water usage for the Town at Level III Emergency Restrictions.

- A resolution of Council shall be required to enact Level III, and a rescinding resolution required to lift Level III Restrictions.

**Schedule "B"**  
**Water Restrictions Form**

# DECLARATION OF WATER RESTRICTIONS

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WHEREAS low water levels exist in the Town of Vauxhall due to:

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THEREFORE, the Town of Vauxhall deems it prudent to declare that **Water Restrictions** are hereby necessary within the municipal boundaries of the Town of Vauxhall to conserve water.

**The following Level of Water Restriction is hereby enacted:**

Level	Enacted (initial of CAO):
Level I Restrictions	
Level II Restrictions	

Upon signature of the Chief Administrative Officer of the Town of Vauxhall herewith, the Restrictions imposed upon the municipality are as designated within the Town of Vauxhall Water Conservation Bylaw.

**All restrictions and penalties therein are now in full force until such time that the restrictions are either elevated or removed.**

**Signature of Chief Administrative Officer:** \_\_\_\_\_

**Time:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Schedule "C"**  
**Cancellation of Water Restrictions**  
**Level 1 Level 11**

# **CANCELLATION OF WATER RESTRICTIONS**

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WHEREAS low water levels in the Town of Vauxhall are deemed to be at an acceptable level,

THEREFORE, the Town of Vauxhall deems it prudent to declare that Water Restrictions are lifted within the municipal boundaries of the Town of Vauxhall as of the date of the signing of the Chief Administrative Officer's signature below.

**Signature of Chief Administrative Officer:** \_\_\_\_\_

**Time:** \_\_\_\_\_

**Date:** \_\_\_\_\_