

**BYLAW NO. 1497-24**

**A BYLAW OF THE TOWN OF THREE HILLS IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE CONSERVATION OF WATER.**

**WHEREAS** pursuant to the provisions of the *Municipal Government Act*, RSA 2000, Chapter M-26 (the Act), and amendments thereto, Council may pass a Bylaw for the provision and regulation of a water utility within the Town of Three Hills.

**WHEREAS** Council deems it appropriate to prepare a Water Conservation Bylaw that requires that water be conserved and utilized efficiently with the provisions of this Bylaw.

**WHEREAS** the Town of Three Hills acknowledges its obligations under water sharing agreements with the Town of Trochu and Kneehill County (Mt. Vernon and Equity), which may be amended from time to time.

**WHEREAS** the *Municipal Government Act*, RSA 2000, Chapter M-26, and amendments thereto, authorize a municipality to pass Bylaws for municipal purposes respecting the enforcements of bylaws including providing for inspections to determine if bylaws are being complied with.

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

**TITLE & DEFINITIONS**

1. This Bylaw may be referred to as the Water Conservation Bylaw.
2. For this bylaw, the following terms, phrases, words, and their derivatives shall have the meanings given herein. When inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular, and words in the singular include the plural.
3. The CAO is authorized to enact this Bylaw and exercise appropriate managerial judgement to take such actions as may be necessary to achieve the purpose of this Bylaw.
4. In this Bylaw, unless the context otherwise requires:
  - a) **“Peace Officer”** shall have the meaning as set out in the *Provincial Offences Act*, R.S.A. 2000, Chapter P-34, section 1(k);
  - b) **“CAO”** shall mean the Chief Administrative Officer for the Town of Three Hills or their designate;
  - c) **“Council”** shall mean the body of elected officials who govern the Town of Three Hills;
  - d) **“Municipal Tag”** shall mean a form alleging an offence of a Town Bylaw allowing for voluntary payment of the prescribed fine;
  - e) **“Non-Residential Water Use”** shall mean a service supplied to a premise principally

used to conduct a profession, business, trade, industry, occupation, or employment, and includes institutional uses;

- f) **“Residential Water Use”** Shall mean a service supplied that is used primarily for domestic purposes including, but not limited to, single-family dwellings, multi-family dwellings, mobile homes, and condominium developments;
- g) **“Town”** shall mean the Town of Three Hills;
- h) **“Violation Ticket”** shall mean a ticket issued pursuant to Part 2 of the *Provincial Offences Act*, R.S.A. 2000, Chapter P-34, and amendments made thereto, and any regulations made thereunder;

### **WATER USE RESTRICTIONS**

- 5. If the CAO believes there may be a reason to require reduced water usage, the CAO may declare a Level I water use restriction and/or regulate the use of water by all consumers.
- 6. In the event there is a reason to declare an increase in water conservation level beyond Level I water use restrictions, Council may declare such restrictions, effective immediately.
- 7. In the event of a declaration or reduction of water use restrictions, the Town will notify the public indicating the level of water use restriction and the date that the level will come into effect, be reduced or removed, by any of the following means:
  - a) Town website;
  - b) Town Facebook page;
  - c) Posting on Town office;
  - d) Notice in the local paper;
  - e) Signage; or
  - f) Any other method deemed necessary.
- 8. The declaration of a water use restriction may apply to the entire Town, specific zones or geographic areas or other specific locations.
- 9. Any consumer outside of municipal boundaries will be requested to implement the same or similar water conservation measures as required by the Town residents. However, the Town will not impose any restrictions on shared water users (Trochu and Kneehill County) without simultaneously imposing the same restrictions upon itself.
- 10. The Town may enact any of the following levels of Water Use Restrictions depending on the projected or actual severity of the water shortage event.
  - a) Level I Water Use Restrictions:
    - i) All outdoor residential water use, including watering lawns, and washing cars, sidewalks, pads, and exterior buildings is permitted on a scheduled basis.
    - ii) The schedule for outdoor residential water use by consumers will be determined by the last number of a dwelling unit’s civic address, and may only occur during the hours of 7:00 p.m. and 12:00 p.m. Odd-numbered addresses may use water for the purposes outlined on Tuesdays, Thursdays, and Sundays. Even numbered addresses may use



water for the purposes outlined on Mondays, Wednesdays, and Saturdays.

iii) Sprinklers and water toys may be used for recreational purposes by children as long as they are being used and not intentionally wasting water (water running without the toys being used).

b) Level II Water Use Restrictions:

i) All non-essential water use is prohibited (i.e. including watering lawns, filling of decorative fountains or water features, pools or hot tubs, recreational use of sprinklers and water toys/pools, washing cars, sidewalks, pads, and exterior buildings).

ii) Vegetable and flower beds may be watered by hand, using a watering can or a hose with a trigger shut off to restrict water flow.

iii) Municipal watering of public parks and sports fields will be limited to twice per week.

iv) Bulk water sales are limited or prohibited.

v) The Rob Naylor Splash Park will be permitted to operate with reduced hours.

vi) All non-residential users of water will be requested to reduce hours of operation to contribute to the conservation of water.

c) Level III Water Use Restrictions:

i) All non-essential water use is prohibited (i.e. including watering lawns, filling of decorative fountains or water features, pools or hot tubs, recreational use of sprinklers and water toys/pools, washing cars, sidewalks, pads, and exterior buildings).

ii) Municipal watering of public parks and sports fields will be prohibited.

iii) The Rob Naylor Splash Park will be closed.

iv) Bulk water sales are prohibited.

v) All non-residential users of water will be required to reduce or cease hours of operation.

## **EXEMPTIONS**

11. The following circumstances are exempt from the restrictions noted under this Bylaw:

a) Watering of flower beds, gardens, shrubs, and trees by a watering can or a hose with a trigger shut off to restrict water flow, is permitted at any time.

b) Watering by drip irrigation is permitted at any time.

c) 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.

12. At any time, a written request may be made to the CAO requesting an exemption to the Water Use Restrictions in place. Exemptions will only be made for extraordinary/emergency situations. The request must include:

a) Location of request;

b) Reason for waiver; and

c) Duration of requested waiver.

## **OFFENCES**

13. Any person who contravenes any section of this Bylaw is guilty of an offence and is subject to a fine as set out in this Bylaw.

14. A Peace Officer who has reasonable grounds to believe a contravention of this Bylaw has occurred or is occurring is authorized and empowered to:
- a) Issue a verbal and/or written warning to the person violating this Bylaw; and
  - b) Issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Act*, R.S.A. 2000, Chapter P-34, and amended.
15. Every day during which a contravention continues is deemed to be a separate offence.

**FINES, PENALTIES AND ENFORCEMENT**

16. Any person who commits an offence under this Bylaw, upon conviction of breach thereof, may forfeit the right to be supplied with water, and shall be liable to pay fines for each contravention of any provision of this Bylaw:

Level	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence
I	verbal warning	written warning	\$50.00
II	\$100.00	\$250.00	\$500.00
III	\$250.00	\$500.00	\$750.00

17. In addition to fines and penalties, which may be issued under this Bylaw, the Town may seek an Order of court granting an injunction or any other Order necessary to enforce compliance. The Town will seek full recovery of such legal costs either through the court system or by placing the cost of such action on the person(s) or corporation(s) tax or utility account.

**SEVERABILITY**

18. If any section, subsection, clause, or provision of this bylaw is found to be invalid or unenforceable, such invalidity or unenforceability shall not affect the remaining provisions, which shall continue to be given full force and effect.

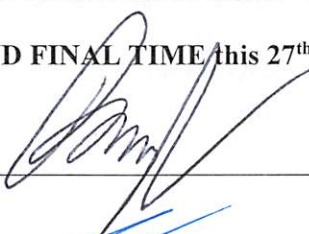
**ENACTMENT**


**THIS BYLAW SHALL TAKE FULL FORCE AND EFFECT UPON THE DATE OF THE THIRD AND FINAL READING.**

**READ A FIRST TIME this 13<sup>th</sup> day of May, 2024.**

**READ A SECOND TIME this 27<sup>th</sup> day of May, 2024.**

**READ A THIRD TIME AND FINAL TIME this 27<sup>th</sup> day of May 2024.**

  
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 MAYOR

  
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 CHIEF ADMINISTRATIVE OFFICER