

DATE: May 5, 2023

FILE: 5600-06/CVWS

TO: Chair and Directors
Comox Valley Water Committee

FROM: James Warren
Deputy Chief Administrative Officer

Supported by James Warren
Deputy Chief Administrative Officer

J. Warren

RE: Water Conservation Bylaw Amendment

Purpose

To amend the Comox Valley Regional District's (CVRD) water conservation bylaw to ease communication, and minimize instances of non-compliance watering, while maintaining water conservation objectives.

Recommendation from the Deputy Chief Administrative Officer:

THAT the board amend Bylaw No. 129 being the "Comox Valley Water Conservation Bylaw No. 129, 2010" to the revised bylaw attached as Appendix A to this staff report dated May 5, 2023;

AND FURTHER THAT the board give first, second and third reading to the amendment to Bylaw No. 129.

Executive Summary

The CVRD collects the concerns of residents, monitors the availability of water throughout the year, reviews climatological data/modeling in concert with other authorities, and then makes recommendations to amend bylaws when necessary. Historically in the Comox Valley, water consumption in the dry summer months almost triples compared to in the wet winter months.

Staff have received concerns from residents that there is confusion of when stage two water restriction is enacted. Also, there is frequent feedback from the public regarding being non-compliant with the watering schedule of stage two. If, for example, the resident is away from home for a period of time over the summer when stage two water restriction is triggered, and they are unable to adjust their irrigation schedule until their return, they will be noncompliant and risk a daily penalty charge.

Staff believe the proposed changes will minimize confusion, increase overall fairness and will not have a negative impact on the CVRD's water conservation objectives.

A redline draft of the revised bylaw is attached as Appendix A, showing the proposed changes. These changes are summarised as follows:

- Automatic shift to stage two restrictions on July 1
- Under stage 2, increase from 45 days to 49 days from installation for the watering of new grass seed on any day within restricted hours—with a permit.
- Under stage 3, allow watering of trees, shrubs, flowers and vegetables by micro-irrigation, drip-irrigation systems or by hand-held container or a hand-held hose equipped with an automatic shut-off nozzle on any day at any time.

Implementation of the changes to the water conservation bylaw (Bylaw) will require communications. Bill stuffers containing information on watering restrictions, with changes highlighted, will be included with residents’ summer bills. Signs will be posted within the water system to inform residents of the current stages of watering restrictions, and information will be available on our website.

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Government and Community Interests Distribution (Upon Agenda Publication)

City of Courtenay	✓
Town of Comox	✓

Background/Current Situation

The Comox Valley Water System (CVWS) has 22,141 water services, serving a population of approximately 49,350 people. Comox Lake is the source for drinking water for the majority of Comox Valley residents. The CVRD’s water license requires that water restrictions are tied to the Puntledge River flows. The total water consumption in 2020 was 7,886,796 m³/7886 ML (million liters), based on the Water Efficiency Plan completed in 2021. A new Water Treatment Plant (CVWTP) was completed in October 2021.

Historically water consumption in the dry summer months nearly triples in comparison to the wet winter months. The primary objectives of the Bylaw are to provide a mechanism to help to reduce consumption in the summer to ensure water availability for fish flows in the Puntledge River, reduce peak demands to reduce capital costs, and meet the water needs for all system users.

CVRD staff regularly receive feedback and complaints from service users, which is recorded and tracked for common themes. On an annual basis these are reviewed for items warranting bylaw amendments, with the objective of improving this regulatory tool over time by making it as straightforward to follow as possible, without compromising the bylaw objectives.

The three amendments proposed this year are:

- Automatic shift to stage two restrictions on July 1
 - Residents complained that the uncertain timing of the annual shift to stage 2 increases the likelihood of non-compliance when the shift occurs while they are away on holiday.
 - While the actual timing of stage 2 implementation varies from May to early August, most years the shift occurs in early July.
 - While stage 2 does have significantly fewer watering hours per week, there is still sufficient watering time to keep lawns and gardens thriving.
- Under stage 2, increase from 45 days to 49 days from installation for the watering of new grass seed on any day within restricted hours—with a permit.
 - Adjustment in wording to Bylaw No. 129 Schedule A to make it consistent with Schedule B.
- Under stage 3, allow watering of trees, shrubs, flowers and vegetables by micro-irrigation, drip-irrigation systems or by hand-held container or a hand-held hose equipped with an automatic shut-off nozzle on any day at any time.

- Residents complained that because stage 3 often occurs in late summer when days are shorter, much of the watering time falls outside of daylight hours, representing a safety risk to elderly residents in particular.
- Given the low intensity nature of these watering options, the shift to “any day any time,” consistent with the provisions under stage 2, are not predicted to significantly increase water demand.
- This shift could provide more incentive for residents to consider a shift to these low water intensity options.

Staff will continue to track and monitor feedback from residents about the Bylaw and bring forward changes when warranted.

Options

1. Adopt the water conservation bylaw amendments as drafted in Appendix A.
2. Make alternative revisions to the water conservation bylaw.
3. Not adopt the proposed amendments to the water conservation bylaw.

The proposed changes are being implemented to reduce confusion and address common complaints from members of the public without compromising the objectives of the Bylaw. As such, only option one is recommended.

Financial Factors

The proposed changes to the Bylaw present no significant financial implications.

Strategic Considerations: Strategic Drivers and Regional Growth Strategy

CVRD Board Strategic Drivers:							
Fiscal Responsibility	✓	Climate Crisis and Environmental Stewardship and Protection	✓	Community Partnerships	✓	Indigenous Relations	✓

Fiscal Responsibility:

- Conserving water is not only important from a watershed protection perspective but it also reduces operating costs and delays the need for future infrastructure upgrades, while keeping costs down for residents.

Climate Crisis and Environmental Stewardship and Protection:

- Applying water conservation measures is of prime importance for protection of our water source, as it is a finite resource.

Community Partnerships:

- Fair Bylaw is important for our community. Saving water for essential needs, such as drinking and sanitary purposes, is the essence of the multi-stage Bylaw.

Indigenous Relations:

- In 2018, the CVRD and K’ómoks First Nation (K’ómoks) signed a [Mutual Benefit Agreement](#) confirming cooperation and collaboration in the management of water resources in the region. The CVRD operates under an [Indigenous Relations Framework](#) and has adopted a [Statement of Reconciliation](#) with Indigenous Peoples which focuses on four main themes: self-determination, shared prosperity, protecting cultural heritage and relationship with land and water. The [United Nations Declaration on the Rights of Indigenous Peoples](#) recognizes the right of Indigenous

people to connect with, and protect, land and waters in their traditional territories and participate in decision-making that affects their rights. Thus, the proposed water conservation changes are in line with protecting waters.

CVRD Regional Growth Strategy Goals:							
Housing		Ecosystems, Natural Areas and Parks	✓	Local economic development		Transportation	
Infrastructure		Food Systems	✓	Public Health & Safety	✓	Climate Change	✓

The Regional Growth Strategy is focused on providing affordable, efficient and effective infrastructure. The proposed changes to the Bylaw are in line with Regional Growth Strategy’s focus.

The Bylaw and its associated water restrictions support Objective 5-A: Promote water conservation and efficiency throughout the Comox Valley.

Intergovernmental Factors

The CVRD recognizes there is nothing more sacred to the K’ómoks people than water. Access to water is critical for the exercise of traditional rights and necessary for the physical, cultural, and spiritual survival of the K’ómoks. The CVRD also recognizes K’ómoks as an important partner in water management with unique legal status in relation to lands and waters. K’ómoks is not a watershed ‘stakeholder’, but rather one of three levels of government, with rights related to land and water protected through the Canadian Constitution. The *Constitution Act, 1982*, which sets the rights and freedoms of Canadians, similarly protects the rights of Indigenous peoples. Indigenous rights include the right to fish, hunt, develop economically, and practice one’s own culture. K’ómoks espouses the four pillars: authority, jurisdiction, governance, and management over natural resources within the territory.

The CVRD will update K’ómoks on these proposed changes for the Bylaw through staff or Council representatives on an advisory committee. CVRD recognizes this is not considered meaningful consultation; however, since these proposed changes are inline with protecting waters, an update may suffice.

Citizen/Public Relations

Significant public communications detailing the water restrictions are planned. Communications materials are as follows:

- Mention of the CVRD and subsequent restriction/enforcement changes within the planned news release for the Comox Valley Water System Bylaw.
- Bill stuffers included within the summer 2023 bills for residents, providing information on restrictions.
- Make revised watering calendar info cards available (front desk, recreation centres, City/Town Hall, and educator events).
- Signs posted within the Comox Valley Water System indicating current watering restriction stage.
- Information posted on the CVRD website and social media.

Attachments: Appendix A – Redline draft of proposed amendments to Bylaw No. 129



Comox Valley Water Conservation Bylaw

The following is a consolidated copy of the Comox Valley water conservation bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
129	Comox Valley Water Conservation Bylaw 2010	May 25, 2010	To regulate water use in the Comox Valley water system
219	Comox Valley Water Conservation Bylaw 2010, Amendment No. 1	May 29, 2012	To change the effective date of stage 2 and its restrictions
430	Comox Valley Water Conservation Bylaw 2010, Amendment No. 3	May 31, 2016	To refine and improve regulatory language for all water restrictions and to provide for extreme drought weather conditions requiring a stage 4 water supply restriction program
463	Comox Valley Water Conservation Bylaw 2010, Amendment No. 4	July 25, 2017	To incorporate the Sandwick water service into this bylaw, following the Sandwick Waterworks District conversion and subsequent connection to the Comox Valley water supply system
479	Comox Valley Water Conservation Bylaw 2010, Amendment No. 5	September 19, 2017	To implement effective dates and restrictions for stage 1 and 2 water supply restriction program
583	Comox Valley Water Conservation Bylaw 2010, Amendment No. 6	August 28, 2019	To implement thresholds based on flow in the Puntledge River for implementation of stages of restrictions.
622	Comox Valley Water Conservation Bylaw 2010, Amendment No. 7	September 29, 2020	To amend the Comox Valley water conservation bylaw to refine and improve the water use restriction stages and associated language
718	Comox Valley Water Conservation Bylaw 2010, Amendment No. 8	June 14, 2022	To address the effect of water restrictions on strata properties

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. Some sub-section references have been updated to reflect amending bylaw language. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 129

A bylaw to regulate water use in the Comox Valley water system

WHEREAS the Comox Valley Regional District (CVRD) provides a service of water supply pursuant to Bylaw No. 1783 being “Water Local Service Establishment Bylaw, 1995” within the following participating municipalities and electoral areas:

- The Corporation of the City of Courtenay;
- The Town of Comox;
- Baynes Sound (Electoral Area ‘A’);
- Lazo North (Electoral Area ‘B’); and
- Puntledge – Black Creek (Electoral Area ‘C’);

AND WHEREAS under section 796.2 of the *Local Government Act* a regional district may regulate in relation to a service;

AND WHEREAS under section 796.2 of the *Local Government Act* a regional government has authority to regulate water use even though a participating municipality is responsible for water distribution within that municipality;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Definitions

1. In this bylaw, unless the context otherwise requires, the following definitions shall apply:

All-weather playing field means a publicly accessible planted sports field;

Appliance means a device or mechanism, other than that owned and operated by the municipality or regional district, in or through which water is piped or used for a domestic or commercial purpose;

Board means the board of the Comox Valley Regional District;

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 compliance officer means a person appointed or contracted by the board or a council of the municipality to enforce this bylaw;

Comox Valley water committee means the committee established by Comox Valley Regional District Bylaw No. 1783 being “Water Local Service Establishment Bylaw, 1995”;

Electoral area service areas means those portions of Electoral Areas A, B, and C that are within the service areas created by:

- Bylaw No. 1453 being “Marsden/Camco Water Local Service Area Conversion and Establishment Bylaw, 1992”;
- Bylaw No. 1494 being “Greaves Crescent Water Local Service Area Establishment By-law, 1993”;
- Bylaw No. 1678 being “Arden Water Local Service Area Conversion and Establishment Bylaw, 1994”;

- Bylaw No. 1886 being “Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996”;
- Bylaw No. 1999 being “England Road Water Local Service Area Establishment Bylaw No. 1999, 1998”; and
- Conversion under Order in Council 921 (approved and ordered December 7, 2016) of the Sandwick WaterWorks District to the Comox Valley Regional District Sandwick water service;

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 one or more parcels of land classified as farmland for assessment and taxation purposes;

Gauge 8 means the Water Survey of Canada Station 08HB006 on the Puntledge River;

General manager means any one of the officers of the CVRD, the senior manager of water/wastewater services or the manager of water services;

Local Government means the City of Courtenay, Town of Comox and the Comox Valley Regional District.

Micro-irrigation or drip-irrigation system means a system using irrigation components which consume less than 91 litres (20 gallons) per hour and operate at less than 172 kilopascal (25 pounds per square inch) 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 Irrigation 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;

Municipality means the Corporation of the City of Courtenay (Courtenay) and the Town of Comox (Comox);

Notice means a notice given under section 6 of this bylaw;

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

Operational officers means a group of persons comprised of one (1) of each of the following:

- (a) the chief administrative officer, general manager of engineering services, or senior manager of water/wastewater services of the CVRD;
- (b) the chief administrative officer or a senior operational staff member of the Corporation of the City of Courtenay; and
- (c) the chief administrative officer or a senior operational staff member of the Town of Comox;

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 9(1) of this bylaw;

CVRD means the Comox Valley Regional District;

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 stages 1, 2, and 3, or 4 of the 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;

Water means water supplied by the CVRD directly or indirectly to an owner or occupier or the act of using or applying such water;

Water use restrictions means the restrictions prescribed in schedule 'A' of this bylaw; and

Watering days means those days during which watering is permitted in schedule 'A' of this bylaw.

Application

2. The restrictions and regulations in this bylaw are applicable in each municipality and the electoral area service areas.

Prohibitions

3. (1) The prohibitions in subsections (2), (3) and (4) 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 an increase in water use.
- (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 allowing a tap or hose to run water unnecessarily and over-watering plants or lawns.
- (4) No person shall apply water intended for irrigation to an impervious surface such as a street, parking lot, sidewalk or driveway.
- (5) No person, being an owner or occupier of property in the municipality or in an electoral area service area, shall use water or cause water to be used contrary to the restrictions in effect at the time pursuant to schedule 'A' of this bylaw.

Inspection

4. The general manager or a bylaw compliance officer has the authority to enter, at all reasonable times and in a reasonable manner and after taking reasonable steps to give notice, 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 and Puntledge River Flow Thresholds for Implementation of Stages and Restrictions

5. (1) Stage 1 and the water use restrictions for Stage 1 prescribed in schedule 'A' are in effect May 1 of the year, except as provided under subsection (5).
- (2) Stage 2 and the water use restrictions for Stage 2 prescribed in schedule 'A' are in effect July 1 of the year ~~when the flow within the Puntledge River is reduced below 15.6 cubic meters per second as measured at Gauge 8,~~ except as provided under subsection (5).

- (3) Stage 3 and the water use restrictions for Stage 3 prescribed in schedule 'A' are in effect when the flow within the Puntledge River is reduced below 11.3 cubic meters per second as measured at Gauge 8, except as provided under subsection (5).
- (4) Stage 4 and the water use restrictions for Stage 4 prescribed in schedule 'A' are in effect when the flow within the Puntledge River is reduced below 5.7 cubic meters per second as measured at Gauge 8, except as provided under subsection (6).
- (5) The operational officers, by written determination and based on the determination factors specified in section 7, may
 - (a) Amend the effective period of time for stages 1, 2 or 3 water use restrictions, or
 - (b) Terminate or bring into effect water use restrictions up to and including stage 3 at any time of the year for any period of time.
- (6)
 - (i) The Comox Valley water committee, at a regular, special or emergency meeting may bring into effect stage 4 water use restrictions.
 - (ii) The operational officers, by written determination and based on the determination factors specified in section 7, may terminate stage 4 water restrictions.
- (7) In the event of system failure which limits the delivery of water at normal volumes, the chief administrative officer or general manager of the CVRD may implement water restrictions as necessary to maintain the water system without consultation with the participating municipalities.
- (8) The stage determined under section 7 and the water use restrictions prescribed under schedule 'A' for that stage take effect on the commencement date stated in the notice for that stage and remain in effect until that stage is terminated.
- (9) A stage will remain in effect until it is terminated under this bylaw or until the commencement of another stage.

Notice

6.
 - (1) An operational officer of the CVRD must give notice or cause notice to be given to persons within the municipality or electoral area service areas of the applicable stage determined under section 5 and its effective dates of commencement and termination.
 - (2) The notice under subsection (1) must be given at least once
 - (a) Before the commencement of a more restrictive stage
 - (3) The notice under this section must be published in a newspaper and broadcast from a radio station. The notice may also be broadcast from a television station or cable television channel serving the CVRD and posted on the CVRD web site.
 - (4) In the event of the commencement of a more restrictive stage due to system failure as described under section 5(7), notices will be given immediately to senior operational staff members of the municipalities and as required to other persons in consideration of the expected duration of the event.

Determination Factors

7. (1) In making a determination under section 5(5) or 5(6)(ii), the operational officers may consider:
 - (a) BC Hydro scheduled and emergency maintenance with respect to the operation of the penstock and powerhouse which would affect the capacity of the penstock supply source;
 - (b) Operational restrictions on system capacity with respect to the usage of the standby water pumping station on the Puntledge River;
 - (c) The need to reduce peak demands on the water system, and
 - (d) Operational factors which limits the ability to supply normal water capacity.
- (2) In making a determination under section 5(6)(i), the Comox Valley Water Committee may consider the factors referred to in section 7(1) and any other relevant information.

Water Use Restrictions

8. The water use restrictions for each stage are prescribed in schedule 'A' to this bylaw and must be obeyed during the period that the applicable stage is in effect under this bylaw.
9. The water use restrictions for each stage apply to both indoor and outdoor water use.
10. The water use restrictions for each stage do not apply to the use of rain water, gray water, any forms of recycled water, or other sources of water outside the Comox Valley Regional District Water Supply System.

Permits, Exemptions, and Special Cases

11. (1) The CVRD and the municipalities (as agents of the CVRD) may issue permits for the installation of a new lawn in the special cases and manner prescribed in schedule 'B'.
- (2) Exemptions and special cases to the regulations in this bylaw are prescribed in schedule 'A'.
- (3) Exempted persons and permit holders are exempted from section 3 to the extent permitted by schedule 'A' and the conditions of the permit where applicable.

Schedules

12. Schedules 'A' and 'B' of this bylaw form part of and are enforceable in the same manner as this bylaw.

Penalty

13. (1) Any person who contravenes a provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and:
 - (a) on summary conviction is liable to a fine of not less than \$100 and subject to the maximum fines under the *Local Government Act* and the *Offence Act*; or
 - (b) on conviction of a ticket offence under the ticketing bylaw, is liable for the fine imposed under that bylaw.
- (2) In the case of a continuing violation, each day that a violation continues to occur shall constitute a separate offence.

Liability

14. Nothing in this bylaw shall be interpreted as imposing any duty on the local governments to provide a continuous supply of water to any person or premises and it is a condition of supply of water that the local governments are not liable for any injury, damage, or loss, including economic loss, to any person or property:
- (a) Arising or occurring from the use of water from the system;
 - (b) Resulting from a failure of water supply to any consumer; or
 - (c) Resulting from any impurity, lack of pressure, increased supply pressure, or other condition affecting water supplied by the system.

Severability

15. If any provision of this bylaw is held to be invalid by a court, the provision may be severed from this bylaw and such invalidity does not affect the validity of the remaining portions of this bylaw.

Repeal

16. Bylaw No. 2867 being "Comox Valley Water Conservation Bylaw 2006" and all amendments thereto are hereby repealed.

Bylaw citation and effective date

17. This Bylaw No. 129 may be cited for all purposes as "Comox Valley Water Conservation Bylaw 2010" and takes effect on the date adopted.

SCHEDULE A
WATER USE RESTRICTION STAGES

STAGE 1 WATER USE RESTRICTIONS

Stage 1 is intended to raise public awareness of potential drought, prevent drinking water wastage and ensure all water users employ efficient and effective practices.

User	Water Use	Restriction
RESIDENTIAL AND NON-RESIDENTIAL	Watering lawns with a sprinkler	<ul style="list-style-type: none"> • Even-numbered civic addresses may only water between the hours of 5:00 am and 8:00 am and 7:00 pm and 10:00 pm on Tuesdays, Thursdays and Saturdays. • Odd numbered-addresses may only water between the hours of 5:00 am and 8:00 am and 7:00 pm and 10:00 pm on Wednesdays, Fridays and Sundays.
	Watering of new grass plantings (sod or seed) with reasonable evidence of recent installation (sod within 21 days, seed within 45 days)	<ul style="list-style-type: none"> • At any time if watering is done by a hand held hose equipped with an automatic shut-off nozzle. • Under the authority of a permit, water with a sprinkler between the hours of 5:00 am and 8:00 am and 7:00 pm and 10:00 pm.
	Watering trees, shrubs, flowers, and vegetables	<ul style="list-style-type: none"> • Even-numbered civic addresses may only water using a sprinkler between the hours of 5:00 am and 8:00 am and 7:00 pm and 10:00 pm on Tuesdays, Thursdays and Saturdays. • Odd numbered-addresses may only water using a sprinkler between the hours of 5:00 am and 8:00 am and 7:00 pm and 10:00 pm on Wednesdays, Fridays and Sundays. • Any day at any time if using micro-irrigation or drip-irrigation system, hand held container or a hand held hose equipped with an automatic shut-off nozzle. • Any day and time and using any method during installation and for the following 24 hours.
	Wash sidewalks, driveways, parking lots, exterior windows, vehicles or exterior building surfaces	<ul style="list-style-type: none"> • On any day at any time if using a hand held container or hand held hose equipped with an automatic shut-off nozzle.
	Washing vehicles	<ul style="list-style-type: none"> • On any day at any time if using a hand held container or hand held hose equipped with an automatic shut-off nozzle.

LOCAL GOVERNMENT	Watering parks, ornamental lawns and grassed boulevards with a sprinkler	<ul style="list-style-type: none"> Only water between the hours of 11:00 pm and 7:00 am on even numbered days for even-numbered civic addresses and odd numbered days for odd-numbered civic addresses.
	Water all weather playing fields	<ul style="list-style-type: none"> At any time using any method if failure to do so will result in a permanent loss of plant material.
Exceptions to Stage 1 Water Use Restrictions		
	<ul style="list-style-type: none"> Owners or occupiers of property who, by reason of physical or mental incapacity, and where such incapacity has been documented by a medical practitioner, are unable to water their property within the restricted days and times, may water their property on any three days of the week for a maximum of six hours per day. 	
	<ul style="list-style-type: none"> Nurseries, farms, turf farms, and tree farms. 	
	<ul style="list-style-type: none"> Local government water parks and pools. 	
	<ul style="list-style-type: none"> Owners or operators of golf courses may water trees, shrubs, flowers, and vegetables grown on golf courses any day at any time if using micro-irrigation or drip-irrigation system, hand held container or a hand held hose equipped with an automatic shut-off nozzle or by any method during installation and for the following 24 hours. In addition, fairways, golf greens and tees may be watered on any day if failure to do so will result in permanent loss of plant material. 	
	<ul style="list-style-type: none"> Owners or operators of strata properties grouped under a single civic address may water: <ul style="list-style-type: none"> - lawn, trees, shrubs, flowers and vegetables in private areas based on their unit number instead of the civic address. Odd and even unit numbers determine watering days in accordance with stage 1 date and time restrictions for residential and non-residential users. - lawn, trees, shrubs, flowers and vegetables in common areas or private areas with group unit irrigation controls between the hours of 5:00 am and 8:00 am and 7:00 pm and 10:00 pm on Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays and Sundays as long as no more than half the area is watered on any single day. 	

SCHEDULE A (continued)**STAGE 2 WATER USE RESTRICTIONS**

Stage 2 restrictions provide further conservation measures for drinking water in response to low water supply conditions or in prolonged, moderate drought conditions. These restrictions are designed to conserve enough drinking water to avoid or delay moving to Stage 3 as long as possible.

User	Water Use	Restriction
RESIDENTIAL AND NON-RESIDENTIAL	Watering lawns with a sprinkler	<ul style="list-style-type: none"> • Even-numbered civic addresses may only water between the hours of 6:00 am and 8:00 am and 8:00 pm and 10:00 pm on Tuesdays and Saturdays. • Odd numbered-addresses may only water between the hours of 6:00 am and 8:00 am and 8:00 pm and 10:00 pm on Wednesdays and Sundays.
	Watering of new grass plantings (sod or seed) with reasonable evidence of recent installation (sod within 21 days, seed within 4 2 5 days)	<ul style="list-style-type: none"> • At any time if watering is done by a hand held hose equipped with an automatic shut-off nozzle. • Under the authority of a permit, water with a sprinkler between the hours of 6:00 am and 8:00 am and 8:00 pm and 10:00 pm.
	Watering trees, shrubs, flowers, and vegetables	<ul style="list-style-type: none"> • Even-numbered civic addresses may only water using a sprinkler between the hours of 6:00 am and 8:00 am and 8:00 pm and 10:00 pm on Tuesdays and Saturdays. • Odd numbered-addresses may only water using a sprinkler between the hours of 6:00 am and 8:00 am and 8:00 pm and 10:00 pm on Wednesdays and Sundays. • Any day at any time if using micro-irrigation or drip-irrigation system, hand held container or a hand held hose equipped with an automatic shut-off nozzle. • Any day and time and using any method during installation and for the following 24 hours.
	Wash sidewalks, driveways and parking lots	<ul style="list-style-type: none"> • Prohibited 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.
	Wash exterior windows and building surfaces	<ul style="list-style-type: none"> • On any day at any time if using a hand held container or hand held hose equipped with an automatic shut-off nozzle.
	Washing vehicles	<ul style="list-style-type: none"> • On any day at any time if using a hand held container or hand held hose equipped with an automatic shut-off nozzle.

LOCAL GOVERNMENT	Watering parks, ornamental lawns and grassed boulevards with a sprinkler	<ul style="list-style-type: none"> Only water between the hours of 11:00 pm and 7:00 am on even numbered days for even-numbered civic addresses and odd numbered days for odd-numbered civic addresses.
	Water all weather playing fields	<ul style="list-style-type: none"> At any time using any method if failure to do so will result in a permanent loss of plant material.
Exceptions to Stage 2 Water Use Restrictions		
	<ul style="list-style-type: none"> Owners or occupiers of property who, by reason of physical or mental incapacity, and where such incapacity has been documented by a medical practitioner, 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 four hours per day. 	
	<ul style="list-style-type: none"> Nurseries, farms, turf farms, and tree farms. 	
	<ul style="list-style-type: none"> Local government water parks and pools. 	
	<ul style="list-style-type: none"> Owners and operators of commercial pressure washing companies may use water but only as part of their normal business operations. 	
	<ul style="list-style-type: none"> Owners or operators of golf courses may water: <ul style="list-style-type: none"> fairways at any time on not more than two days per week; trees, shrubs, flowers, and vegetables grown on golf courses in accordance with stage 2 date and time restrictions for residential and non-residential users; and golf greens and tees on any day if failure to do so will result in permanent loss of plant material. 	
	<ul style="list-style-type: none"> Owners or operators of strata properties grouped under a single civic address may water: <ul style="list-style-type: none"> lawn, trees, shrubs, flowers and vegetables in private areas based on their unit number instead of the civic address. Odd and even unit numbers determine watering days in accordance with stage 2 date and time restrictions for residential and non-residential users. lawn, trees, shrubs, flowers and vegetables in common areas or private areas with group unit irrigation controls between the hours of 6:00 am and 8:00 am and 8:00 pm and 10:00 pm on Tuesdays, Wednesdays, Saturdays and Sundays as long as no more than half the area is watered on any single day. 	

SCHEDULE A (continued)

STAGE 3 WATER USE RESTRICTIONS

Stage 3 restrictions implement stricter water conservation measures to maintain water supply during significant drought conditions or other water shortage.

In addition to the following water restrictions, further measures may be implemented under this stage, if necessary, to maintain supplies during a period of critical water shortage.

User	Water Use	Restriction
RESIDENTIAL AND NON-RESIDENTIAL	Watering lawns with a sprinkler	<ul style="list-style-type: none"> Prohibited.
	Watering of new grass plantings (sod or seed)	<ul style="list-style-type: none"> Prohibited. All local government permits issued for lawn watering are invalidated.
	Watering trees, shrubs, flowers, and vegetables	<ul style="list-style-type: none"> Any day at any time between the hours of 6:00 am to 8:00 am and 8:00 pm to 10:00 pm if watering is done using micro-irrigation or drip-irrigation systems or by hand-held container or a hand held hose equipped with an automatic shut-off nozzle.
	Watering newly planted trees, shrubs, flowers, and vegetables	<ul style="list-style-type: none"> At any time during the following 24 hours after installation using a hand held container or a hand held hose equipped with an automatic shut-off nozzle.
	Wash sidewalks, driveways, parking lots, exterior windows, or exterior building surfaces	<ul style="list-style-type: none"> Prohibited 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.
	Washing vehicles and boats	<ul style="list-style-type: none"> Prohibited except: <ul style="list-style-type: none"> to clean windows, lights, mirrors, licence plates, and engines for safety. at car dealerships and commercial car washes using less than 205 litres of water per vehicle wash or 50 percent recirculated water as long as the total amount of water, excluding recirculated water, does not exceed 205 litres per vehicle wash.
	Fill or add water to a swimming pool, hot tub, garden pond or operate a decorative fountain	<ul style="list-style-type: none"> Prohibited except wading pools less than 200 centimeters in diameter may be filled with water up to a maximum depth of 30 centimeters.

LOCAL GOVERNMENT	Watering parks, ornamental lawns and grassed boulevards with a sprinkler	Only water between the hours of 11:00 pm and 7:00 am on even-numbered days for even-numbered addresses and odd numbered days for odd-numbered addresses.
	Water all weather playing fields	<ul style="list-style-type: none"> • At any time using any method if failure to do so will result in a permanent loss of plant material.
Exceptions to Stage 3 Water Use Restrictions		
	<ul style="list-style-type: none"> • Owners or occupiers of property who, by reason of physical or mental incapacity, and where such incapacity has been documented by a medical practitioner, 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 four hours per day. 	
	<ul style="list-style-type: none"> • Nurseries, farms, turf farms, and tree farms. 	
	<ul style="list-style-type: none"> • Local government water parks and pools. 	
	<ul style="list-style-type: none"> • Owners or operators of golf courses may water: <ul style="list-style-type: none"> - fairways at any time on not more than one day per week; - trees, shrubs, flowers, and vegetables grown on golf courses in accordance with Stage 3 date and time restrictions for non-residential users; and - golf greens and tees on any day if failure to do so will result in permanent loss of plant material. 	

SCHEDULE A (continued)

STAGE 4 WATER USE RESTRICTIONS

Stage 4 restrictions are implemented when no spare water is available. Severe water restrictions limit indoor and outdoor water uses as much as possible and are intended to maintain critical supply.

Stage 4 is activated based on the rare occurrence of a significant emergency, such as an earthquake, flood, wild land and interface fire, severe weather, or a prolonged power outage that causes significant impacts to the water system infrastructure.

In addition to the following water restrictions, further measures may be implemented under this stage, if necessary, to maintain community health.

User	Water Use	Restriction
RESIDENTIAL /NON-RESIDENTIAL/ LOCAL GOVERNMENT	All water uses	<ul style="list-style-type: none"> • Prohibited except for human and animal consumption, hygiene, safety, food and beverage preparation, use in firefighting, and by order of a regulatory authority having jurisdiction for health or safety. • For clarity, the following water uses are specifically prohibited unless required for health, safety or sanitary purposes: <ul style="list-style-type: none"> - watering lawns, gardens, plants and trees - washing motor vehicles, boats and other recreational vehicles - washing outdoor surfaces, exterior windows, or exterior building surfaces - filling or topping off of pools, hot tubs, ponds or fountains - mixing concrete - mechanical services - spa services - manufacturing processes
Exceptions to Stage 4 Water Use Restrictions		
	<ul style="list-style-type: none"> • Irrigating local government all-weather playing fields. 	

SCHEDULE ‘B’

PERMITS

1. During Stage 1 and 2, a person/resident in an electoral area or a municipality who has installed a new lawn, either newly seeded or new sod, may apply to the Comox Valley Regional District or to the municipality respectively for a permit (a “new lawn permit”), which will allow the new lawn to be sprinkled with water outside of permitted days, but within the restricted hours. The permit shall be conspicuously displayed at the premises for which it was issued.
2. The Comox Valley Regional District or the municipality may issue a permit to an applicant pursuant to section 1 and 2 upon payment to the Comox Valley Regional District or the municipality of a fee in the amount of \$30.00.
3. 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 or be valid during Stage 3 or 4 restrictions.
5. The permit is to take the form of the following example

Comox Valley Water System – Lawn Sprinkling Permit (pursuant to Comox Valley Regional District Bylaw No. 129)			
Name:		This permit is issued for NEW SOD or NEWLY SEEDED LAWN	
Street Address (location of permit):			
		Permit issue date	
		Installation date	
Permit conditions:			
<ol style="list-style-type: none"> 1. If this permit is issued for new sod, the permit is valid for 21 days after the date of installation. 2. If this permit is issued for newly seeded lawn, the permit is valid for 49 days after date of installation or until growth is established whichever is less. 3. During the term of the permit, the permit holder may sprinkle the new sod or newly seeded lawn between the hours of 5:00 am to 8:00 am and 7:00 pm to 10:00 pm during Stage 1 restrictions, between the hours of 6:00 am to 8:00 am and 8:00 pm to 10:00 pm during Stage 2 restrictions and at any time if watering is done by a hand held hose equipped with an automatic shut-off nozzle. 4. This permit is to be prominently displayed at the residence for which the permit is issued. 5. This permit is not valid during Stage 3 or 4 water restrictions. 			
Original to permit holder. Retain copy for local government records. Fee paid \$30.00.			