

TOWN OF CHESTERMERE

PROVINCE OF ALBERTA

BYLAW NO. 038-08

A Bylaw of the Town of Chestermere, in the Province of Alberta, to Establish Restrictions on Water Usage in the Town of Chestermere

WHEREAS pursuant to the provisions of the Municipal Government Act, Council may pass bylaws for municipal purposes relating to the health and welfare of people and the protection of people and property; services provided by or on behalf of the Municipality; and public utilities, and

WHEREAS Council for the Town of Chestermere deems it advisable and necessary to make provisions for the restriction of the use of water and for the protection of the supply of water,

NOW THEREFORE, pursuant to the authority conferred upon it by the Municipal Government Act, R.S.A. 2000, c.M-26, as amended, or as repealed and replaced from time to time, the Council of the Town of Chestermere duly assembled, enacts as follows:

Citation

1. This bylaw may be cited as "The Water Usage Bylaw"

Definitions

2. In this bylaw:
 - a. "CAO" means the Chief Administrative Officer or that person's designate.
 - b. "Council" means the elected council of the Town of Chestermere.
 - c. "Restriction Period" means a period in which a restriction is in place.
 - d. "Normal Period" means a time in which no Restriction Period has been put in place.
 - e. "Town" means the Town of Chestermere.

Applicable

3. This bylaw applies to all residential and commercial properties located in the Town of Chestermere.

Severability

4. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

CAO Authority in Restricting Water Supply

5. Where the CAO or their designate determines it necessary to impose restrictions on the amount of water used in the Town, the CAO or their designate may impose a Restriction Period, which would completely restrict all use of the Town's treated water supply.
6. The CAO or their designate may proceed to impose a restriction when it is determined warranted due to the prevailing condition of the water supply.
7. The CAO or their designate shall give notice to the persons and businesses of the Town as outlined in sections 15 and 16, of any restriction period coming into force.
8. Whenever possible, restriction periods shall take effect twenty-four (24) hours from the time at which notice was given unless the situation is deemed urgent, in which case the restriction shall take place immediately.

Watering Use During Normal Periods

9. For the purposes of this bylaw, the Town is divided by even and odd numbered civic addresses. The watering times and dates for normal periods are listed as per Schedule A.

This bylaw is intended to restrict dates and times for watering lawns and gardens. During normal periods the use of water by contractors for stucco, concrete, landscaping, etc. and by residents for incidental activities (washing vehicles, washing house etc.) is permitted outside of the dates and times listed in Schedule A.

Trees, plants and gardens may be watered outside of the permitted watering days and times if a hand held container is used.

Watering Use During Restriction Periods

10. During Restriction Periods no outside watering is permitted and a residence or business may only use water:
 - a. to prevent or control fires;
 - b. for the health and safety of any person; or
 - c. for the care and watering of animals

Exemptions

11. Watering activities whose source of water is ancillary to the Town's treated water system are exempt from the restrictions in section 10.
12. Exemptions for watering new sod or new seed may be granted within a Normal or Restriction Period provided the resident or business obtains a permit to do so. Permits will be provided at no charge by contacting the Town Office and will allow the resident or business to water new sod having been placed within the previous twenty-one (21) days or new seed having been planted within the previous forty-five (45) days on any day but limited to the times as per Schedule A.
13. Municipal reserve lands and lands of equivalent designation within the Town of Chestermere may water during normal periods, subject to the following conditions:
 - a. Watering may take place a maximum of three (3) days per week.
 - b. Watering shall take place between the hours of 4:00 a.m. and 9:00 a.m.
14. Any resident or business may contact the CAO or their designate for an exemption from the restrictions of this bylaw. Such exemptions shall be granted at the discretion of the CAO or their designate and will be provided in writing.

Notice

15. When a restriction period has been imposed pursuant to this bylaw, the municipality shall advertise and provide notice of the restriction by any one or more of the following means:
 - a. Notification in the local newspaper(s);
 - b. Notification through separate mailing;
 - c. Announcement on the Town website, with signage indicating the presence of this posting;
 - d. Through signage posted at multiple locations within the Town; or,
 - e. Announcement via local radio station(s), and or the local community television channel.
16. Notice of a restriction period shall include the date and time that the restriction shall take effect.

Offences and Penalties


- 17. Any use of un-metered, treated water without the prior written consent of the Town of Chestermere shall be subject to the penalties provided in Schedule B.
- 18. Any person who contravenes any of the provisions of this bylaw is guilty of an offence and is liable on summary conviction, to the penalties provided in Schedule B.
- 19. Each day that such violation is caused, or allowed to continue, constitutes a separate offence.

Bylaw No. 008-07 is hereby repealed in its entirety.

READ A FIRST TIME the 4th day of June, 2008

READ A SECOND TIME the 4th day of June, 2008

READ A THIRD TIME the 16th day of June, 2008



Mayor



Chief Administrative Officer

Resolution # 278-08

Schedule A

Civic Addresses	Days	Morning Times	Evening Times
Even House #'s	Thursday & Sunday	4:00 AM – 9:00 AM	7:00 PM – 10:00 PM
Odd House #'s	Tuesday & Saturday	4:00 AM – 9:00 AM	7:00 PM – 10:00 PM

Schedule B

Pursuant to Bylaw No. 038-08 fines shall be levied according to the following:

	1st Offence	2nd Offence	3 rd and subsequent offences
Violation During Normal Periods	\$150.00	\$300.00	\$600.00
Violation During Restricted Periods	\$200.00	\$400.00	\$800.00