

# CITY OF WEYBURN

## BYLAW NO. 2018-3388

### A BYLAW OF THE CITY OF WEYBURN REGULATING THE CONSERVATION OF WATER

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The Council of the City of Weyburn, in the Province of Saskatchewan, enacts as follows:

#### **1 DEFINITIONS**

For the purposes of this Bylaw, the expressions:

- 1.1 “Bulk Water Station” is the vending facility located at 55 – 16<sup>th</sup> Street
- 1.2 “City” means City of Weyburn;
- 1.3 “City Manager” means the City Manager of the City of Weyburn or anyone acting under his instructions in carrying out the provisions of this Bylaw;
- 1.4 “Consumer(s)” is any person, persons, corporation, board, society, provincial or federal corporation who is connected to the City’s Waterworks System.
- 1.5 “Council” means the Municipal Council of the City of Weyburn;
- 1.6 “Director of Engineering” means the Director of Engineering of the City of Weyburn or anyone acting under his instructions in carrying out the provisions of this Bylaw;
- 1.7 “Industrial Use” is a service supplied to a premise that is primarily used for industrial purposes including oilfield and agricultural purposes and the use of the bulk water station.
- 1.8 “Residential Water Use” is a service supplied to a premise that is used primarily for domestic purposes including but not limited to, single family dwellings, multi-family dwellings, mobile home parks and condominium developments. But does not include the Weyburn Utility Board or North Weyburn.
- 1.9 “Non-Residential Water Use” is a service supplied to a premise principally used to conduct a commercial business or institutional use and includes the Weyburn Utility Board and North Weyburn.
- 1.10 “Owner” means any person, corporation, society and partnership who contracts with the City of Weyburn for the supply of water from the City’s Waterworks System.

#### **2 CONTROL**

- 2.1 The City Manager is hereby designated as the official responsible for the control and supervision of the provisions of this Bylaw.
- 2.2 The City Manager may at any time make orders in addition to those specified in this Bylaw, restricting the use of water either by all consumers or by any particular class of consumers and either throughout the City or in any particular areas of the City.
- 2.3 The City Manager may at any time make orders in addition to those specified in this Bylaw restricting the use of water either by all consumers or by any particular class of consumers during specific times. This may include times of day, days of the week or any time during the calendar year.

#### **3 WASTING OF WATER**

- 3.1. All consumers are prohibited from wasting water.
- 3.2. Wasting of water includes:
  - a) broken or malfunctioning underground sprinklers

- b) setting of or placement of sprinklers and lawn watering devices such that they spray water onto hard surfacing such as driveways, sidewalks, patios and streets.
  - c) manually operated sprinklers and lawn watering devices that are left unattended for more than 60 minutes.
  - d) Watering of an area for more than 60 minutes.
  - e) Washing of driveways and private walkways.
  - f) Filling of dugouts and other reservoirs by subscribers of the Weyburn Utility Board, residents of North Weyburn or any other rural water user.
- 3.3. Wednesdays are “Waterless Wednesdays” where no outside use of water from the City’s Waterworks system for lawn or garden watering is allowed.
  - 3.4. Lawn and garden watering is not allowed between 9:00 am and 7:00 pm on days when watering is permitted.
  - 3.5. Premises with odd numbered street addresses may water lawns and gardens on Mondays, and Thursday.
  - 3.6. Premises with even numbered street addresses may water lawns and gardens on Tuesdays, and Fridays.

**4 EXEMPTIONS TO WASTING OF WATER**

- 4.1. Unless enacted otherwise by the City Manager the following activities are exempt from the wasting of water provisions of this bylaw:
  - a) Street sweeping
  - b) Fire Fighting
  - c) City maintenance activities including flushing of watermains, cleaning of sewers and repairs to City infrastructure.
- 4.2. Unless enacted otherwise by the City Manager newly constructed lawns by either laying of sod or seeding are exempted from the wasting of water provisions of this bylaw. Consumers/Owners who have constructed a new lawn must obtain an exemption permit from the Director of Engineering prior to construction.
- 4.3. Unless enacted otherwise by the City Manager construction activities requiring water for preparation or to ensure a proper final product are exempt from the wasting of water provisions of this bylaw

**5 PENALTIES AND ORDERS**

- 5.1. The City Manager shall issue such orders as he deems necessary for the effective application and enforcement of any provision of this Bylaw. Where a condition of a premises is in contravention of this Bylaw, the City Manager shall issue orders to resident occupants, with copies to the registered and assessed owners.
- 5.2. The Chief of Police or any member of the Police Department and/or a Bylaw Officer authorized by the Chief of Police or by City Council, shall have and is hereby granted power to issue citations for contraventions of this Bylaw, and the penalty provisions of this Bylaw shall apply to such violations.
- 5.3. Any person who violates any of the provisions of this Bylaw shall be guilty of an offence and liable on summary conviction to a fine as set out in *Schedule A*, attached hereto or such as shall from time to time be determined by Resolution of Council.
- 5.4. All fines, penalties and forfeitures mentioned in this Bylaw may be recovered and enforced with costs by summary conviction before a judge and, in default of payment, the person convicted may be imprisoned for a term of not more than 90 days, unless the fine or penalty is paid sooner.
- 5.5. This Bylaw may be enforced, and the contravention of any provisions of the Bylaw restrained, by any court on action brought by the City of Weyburn, whether or not any penalty is imposed for the contravention.
- 5.6. Conviction of a person for a contravention of any provision of this Bylaw does not relieve

him from compliance with the Bylaw, and the convicting judge or justice of the peace shall, in addition to any fine imposed, order the person to perform, within a specified period, any act of work necessary for the proper observance of the Bylaw or to remedy the contravention of the Bylaw.

- 5.7. A person who fails to comply with an order made pursuant this Bylaw within the period specified in the order is guilty of an offence and liable on summary conviction to a fine as set out in *Schedule A*, attached hereto or such as shall from time to time be determined by Resolution of Council.
- 5.8. All fines imposed under this Bylaw may be paid by a person contravening the Bylaw to the office of the Director of Finance within seven (7) days of being served with a Notice of Violation in *Form A* attached hereto, and on payment as so provided, that person is not liable for prosecution for the offence.
- 5.9. A decision of a court that one or more of the provisions of this Bylaw are invalid in whole or in part shall not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this Bylaw.
- 5.10. This Bylaw shall come into force and take effect upon final read of the bylaw.

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**Mayor**

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**City Clerk**

Read a first time this 14<sup>th</sup> day of May, 2018

Read a second time this    day of

Read a third time this    day of    and passed.

## **SCHEDULE "A" TO BYLAW NO. 2018-XXXX**

<b>Residential Water Users</b>	
<b>Offence</b>	<b>Amount</b>
1 <sup>st</sup> Offence	\$250.00
2 <sup>nd</sup> Offence	\$500.00
3 <sup>rd</sup> Offence	\$1,000.00
4 <sup>th</sup> Offence	Termination of Service

<b>Non-Residential &amp; Industrial Water Users</b>	
<b>Offence</b>	<b>Amount</b>
1 <sup>st</sup> Offence	\$2500.00
2 <sup>nd</sup> Offence	\$5000.00
3 <sup>rd</sup> Offence	\$10,000.00
4 <sup>th</sup> Offence	Termination of Service