

**REGIONAL DISTRICT OF NORTH OKANAGAN  
BYLAW NO. 2545, 2014**

**CONSOLIDATED FOR CONVENIENCE**

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*This document is an office consolidation of the above-noted Bylaw and includes the amendments listed below. This Bylaw has been consolidated for convenience and is intended for information and reference purposes only. This document is not the official version of the Bylaw. Be advised that plans, pictures, other graphics or text in the official version may be missing or altered in this consolidated version. Where accuracy is critical, please contact the Corporate Services Department at the Regional District of North Okanagan.*

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**TEXT AMENDMENTS**

<b>Bylaw No.</b>	<b>Adopted</b>	<b>Amendment</b>
2695, 2015	October 21, 2015	– Add a definition for fire hydrants.
2703, 2016	January 20, 2016	– Delete Section I 2.c., Add “a water meter capable of capturing low water flows” to Section I 3.a.ii., Add “Domestic and agricultural water meter pits must be separated horizontally by a minimum of 1.2 meters” to Section I 2.b., Delete Section I 3.c. and replace with new text, Add “as determined by the Manager – Greater Vernon Water” to Section I 3.d.; Add new text to Section I 3.
2948, 2022	December 14, 2022	– Section D. Definitions, under Section I.3.d. Water Service and Water Service Connections, Water Service for Bona Fide Agricultural Use, under Section Q.1.a. Offence and Penalty.

## **REGIONAL DISTRICT OF NORTH OKANAGAN**

### **BYLAW No. 2545**

A Bylaw to Regulate the Use of Water in the  
Greater Vernon Water Service Area

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**WHEREAS** Section 796(1) and 796(2) of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, authorizes the board of a regional district to operate any service that the board considers necessary or desirable for all or part of the regional district, and to regulate in relation to a service;

**AND WHEREAS** the Regional District of North Okanagan has established the Greater Vernon Water Service for the purpose of supplying and distributing water within the local service area consisting of the Corporation of the City of Vernon, the Corporation of the District of Coldstream, and Electoral Areas "B" and "C" of the Regional District of North Okanagan, pursuant to the "*Regional District of North Okanagan – Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994*", as amended;

**AND WHEREAS** the Greater Vernon Water Service is also currently providing water to portions of Electoral Area "D" and the Township of Spallumcheen;

**AND WHEREAS** the Board wishes to regulate the use of water in accordance with its 2011 Greater Vernon Water Service Drought Management Plan, as amended from time to time;

**NOW THEREFORE** the Board of the Regional District of North Okanagan in an open meeting assembled, hereby **ENACTS AS FOLLOWS**:

#### **A. CITATION**

1. This Bylaw may be cited as the "***Greater Vernon Water Use and Regulation Bylaw No. 2545, 2014***".

#### **B. INTERPRETATION**

1. Words or phrases defined in the *Interpretation Act*, R.S.B.C. 1996, Chapter 238, the *Community Charter*, S.B.C., Chapter 26 or the *Local Government Act*, R.S.B.C. 1996, Chapter 323 shall have the same meaning when used in this Bylaw, unless otherwise defined in this Bylaw.
2. The headings contained in this Bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this Bylaw.
3. Any enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein (as may be cited by short title or otherwise) is a reference to a bylaw of the Board, as amended, revised, consolidated or replaced from time to time.

4. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw, and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

### **C. SCHEDULES**

1. The following Schedules are attached to and form part of this Bylaw, and are enforceable in the same manner as this Bylaw:
  - a. *Schedule “A” – Greater Vernon Water – Water Use Restriction Stages.*

### **D. DEFINITIONS**

1. In this Bylaw, unless the context requires otherwise:

**Agricultural Rates** means the price of water per cubic metre applied to water consumption for Bona Fide Agricultural Use.

**Allocation** means the amount of water assigned to a Premises by the RDNO for Irrigation purposes, and for greater clarity, the Allocation, expressed in hectares, determines the maximum flow rate available to the Premises, and provides the maximum volume of water permitted per Irrigation Season before Over Consumption or Off Season Agricultural Water Use rates are imposed by the *Greater Vernon Water Utility Rates Imposition Bylaw*, as amended.

**Approved Backflow Preventer** means an apparatus, of a type and capacity approved by the RDNO or its authorized agent, installed in a water system to prevent the backflow of Contaminants into the System.

**Approved Flow Regulator** means a water flow controller of a type and capacity approved by the RDNO or its authorized agent.

**Approved Nozzle** means a nozzle device for attachment to a hose, with a manual or spring loaded shut-off, so that the flow of water stops when the nozzle device is not being held.

**Automatic Timing Device** means any type of electronic or automated control system that manages when the irrigation system operates, including, without limitation, systems regulated by timers, soil moisture sensors, or rain sensors.

**Board** means the Board of Directors of the RDNO.

**Bona Fide Agricultural Land** means land:

(a) that is used for a qualifying “agricultural use” (as defined by the B.C. Assessment Authority);  
or

(b) for which an Application for RDNO Farm Classification (and, where applicable, a New Farm Supplemental Application for Farm Classification) has been approved by the General Manager.

**Bona Fide Agricultural Use** means water used on Bona Fide Agricultural Land for Crop Irrigation and/or Stock Watering as needed for a producing farm:

(a) to meet minimum gross income requirements to qualify for BC Assessment “farm classification”; or

(b) as income for Farm Classification approval by the General Manager,

and does not include water for food processing, washing or cleaning, landscaping or watering plants used for Premises beautification.

**Bylaw Enforcement Officer** means any person from time to time appointed by the Board as a bylaw enforcement officer, or any other person appointed by the Board **RDNO** for the purpose of administering, enforcing or carrying out this Bylaw.

**Contaminant** means any physical, chemical, biological or radiological substance or matter which may render water non-potable, according to the *Drinking Water Protection Act* S.B.C. 2001, Chapter 9.

**Contiguous** ~~means connected throughout in an unbroken sequence along common boundaries~~ **means more than one Bona Fide Agricultural Land Parcel of the same ownership, or immediate family, and sharing a common boundary line, and as approved by the General Manager.**

**Crop Irrigation** means the application of water on Bona Fide Agricultural Land.

**Customer** means any person who is the owner or occupier, or agent for the owner or occupier, of any Premises or equipment to which water is supplied by GVW, and who is liable to pay charges for Water Service, including service from fire hydrants or truck fill stations.

**Domestic Use** means the use of water for: household requirements, sanitation, fire protection, watering of domestic animals and backyard poultry, irrigation of a Food Garden or Lawn and Aesthetic Garden, pools and any other residential ancillary use.

**Drip Irrigation** means a plant irrigation system utilizing a network of pipes and control flow emitters to carry a low flow of water under low pressure directly to the root zone of a plant without noticeable water waste.

**Fire Hydrant** *means a water conveyance device where a hose can be attached and supplied water with typically elevated flows for the primary purpose of fighting fires. This definition includes the hydrant, hydrant connection valve, lead and tee at the main and refers to all fire hydrants connected to the Greater Vernon Water system, including fire hydrants on private property.*

**Fire Hydrant Use Permit** means a permit issued by the General Manager in accordance with Section M of this Bylaw.

**Food Garden** means non-commercial gardens used for the production of food.

**Garden Ponds, Aesthetic Fountains, and Water Features** means any human-made water retention structure or device meant for aesthetic purposes *not* used for swimming or drinking water.

**General Manager** ~~means the person appointed to the position of General Manager of Engineering for the Greater Vernon Water Service, and shall include any person designated by the RDNO to act on behalf of the General Manager~~ **means the person appointed to the position of General Manager for the Regional District of North Okanagan who has Greater Vernon Water within their area of responsibility, or designate.**

**Greater Vernon Water** or **GVW** means the Greater Vernon Water Service created by the *Regional District of North Okanagan – Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994*, as amended, and for the purpose of this Bylaw, also includes those portions of Electoral Area “D” and the Township of Spallumcheen that are currently receiving water from GVW.

**GVW Service Area** means the area defined as such in the *Regional District of North Okanagan – Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994*, as amended, and for the purpose of this bylaw, also includes those portions of Electoral Area “D” and the Township of Spallumcheen that are currently receiving water from GVW.

**Handheld Sprinkling** means watering by a person actively holding a Watering Can or a hose with an Approved Nozzle.

**Irrigation** means the application of water on lands for nourishing plants.

**Irrigation Season** ~~means the five (5) month period from April 15<sup>th</sup> to September 15<sup>th</sup>, as may be modified in accordance with this Bylaw~~ **means the five (5) month period from approximately mid-April to mid-September, as may be modified by drought or other conditions as determined by the General Manager from time to time.**

**Lawn and Aesthetic Garden** means landscaped areas on private or public Premises used for the purpose of passive recreation or aesthetic enjoyment, but does not include planted areas used for a Food Garden.

**Manual Sprinklers** means a sprinkler that is attached by hose to a water source supplied by GVW that must be positioned by hand, including, without limitation, oscillating, impact, ring, circle, impulse, rotary, revolving, and pulse sprinklers.

**Micro Jet Irrigation** means a low volume and pressure efficient spray irrigation system, also known as micro spray irrigation, through which water spray is directed close to the ground and plant roots.

**New Lawns and Landscaping** means plants, as well as turf, sod or direct grass seeding to create Lawns, that have been recently planted and do not have established root systems.

**Non Domestic Use** means the use of water for services that are not Domestic or Bona Fide Agricultural Use, including, without limitation, congregate care facilities, parks, commercial, institutional, industrial and mixed use.

**Non Potable Water** means water that is not fit for human consumption as defined in the *Drinking Water Protection Act* **means water that is not required to meet provincial drinking water standards.**

**Off Season Agricultural Water Use** means water consumed outside of the Irrigation Season on Bona Fide Agricultural Land **and includes stock watering.**

**Plants for Sale** means any and all types of plants, except those being grown on Bona Fide Agricultural Lands, that are displayed for sale at any commercial business, including, without limitation, nurseries, seasonal sales, and garden centres.

**Potable Water** means water that is fit for human consumption as defined in the *Drinking Water Protection Act*.

**Premises** means any real property and all buildings and improvements thereon.

**RDNO** means the Regional District of North Okanagan.

**Sprinkle or Sprinkling** means the application or distribution of water by sprinkling or spraying for Irrigation purposes, but does not include the methods known as Drip Irrigation, Micro Jet Irrigation, or hand watering.

**Stock Watering** means the use of water for watering farm animals, including poultry, on land that has been approved as Bona Fide Agricultural Land.

**Stock Watering Trough** means a water basin, bowl or sink that is supplied with water and is automatically and continually filled with water without the operation of a manual valve or other manually operated device.

**System** means the water system owned, operated and maintained by the RDNO or its authorized agent, by which water is supplied to Customers in the GVW Service Area, and includes, without limitation, all of the Water Works.

**Underground Irrigation** means an irrigation system that utilizes underground distribution pipes along with permanently installed sprinkler heads.

**Water Service** means GVW's supply of water to its Customers.

**Water Service Connection** means the Water Service pipes, valves, and other appurtenances extending from the water distribution main to the boundary of the Premises being served **means the pipe connecting the GVW main to the property line.**

**Watering Can** means a non-pressurized container used for Handheld Sprinkling.

**Water Meter** means a device owned and maintained by the RDNO to measure the quantity of water used by a Customer.

**Water Works** means the entire infrastructure and all of the components of the System, and includes, without limitation, anything capable or useful for diverting, storing, measuring, delivering, supplying, conveying, conserving, retarding, confining or using water.

**E. APPLICATION**

1. This Bylaw applies to all water supplied by the RDNO within the GVV Service Area, and to all persons receiving or using such water.

**F. RDNO NOT LIABLE**

1. The RDNO supplies water to Customers on the condition that the RDNO is not liable for any injury, damage or loss to any person or property at any time caused by or resulting from:
  - a. the use of water from the System;
  - b. any biological, chemical, or physical parameter that naturally occurs in the source water or is a by-product of treatment;
  - c. lack of adequate water supply or water flow;
  - d. interruption of water supply;
  - e. increased or decreased water pressure; or
  - f. any other condition or matter affecting the supply or quality of water from the System.
2. The RDNO is not liable for any loss or damage arising from or in any way connected to water main breaks or leaks in the System.
3. The RDNO is not liable for any loss or damage, including water loss, arising from or in any way connected to the failure of a privately owned water infrastructure.
4. The RDNO does not guarantee a specific water pressure, a specific quality of water, or continuous supply of water to meet the special requirements of any Customer or any other user of water. The RDNO is not required to maintain any specified pressure in its water mains, or take any steps to correct or modify any increases or decreases in pressure.
5. The RDNO reserves the right, at any and all times and without notice, to change operating water pressure, source water supply, water quality, or otherwise interrupt or shut off the Water Service for any operational or maintenance purpose, including, without limitation, making repairs, extensions, alterations, improvements, and to increase or reduce pressure.

**G. CONDITIONS OF WATER SERVICE**

1. Where there are any outstanding fees, fines or expenses due and owing to the RDNO pursuant to this Bylaw, the RDNO may discontinue Water Service to that Customer until such time as the outstanding amounts are paid in full.
2. All outstanding fees, charges, expenses and other amounts due and owing to the RDNO pursuant to this Bylaw may be treated and collected in the same manner and with the same remedies as property taxes.

3. At any time and without notice, the RDNO may limit or discontinue the supply of water to any Customer or limit the hours during which water may be used, in the event of a shortage of water, System malfunction, infrastructure capacity limitations or where the imposition of restrictions is in the public interest.
4. Customers dependent upon a continuous and uninterrupted supply of water, or having processes or equipment that require clear or pure water are responsible for providing, at their own cost, such emergency storage, over-size piping, pumps and tanks, filters, pressure regulators, check valves, additional water service pipes, or other equipment or apparatus for a continuous and adequate supply of water suitable to their requirements, all of which must be equipped with the appropriate cross connection control devices as required by *Regional District of North Okanagan Cross Connection Control Regulation Bylaw No. 2651, 2014*, as amended.
5. No interruption in the supply of water to a Customer shall entitle that Customer to a reduction in fees or charges, unless otherwise specifically provided for in this Bylaw.

#### **H. WATER USE REGULATIONS**

1. All persons must comply with the water use restrictions contained in *Schedule "A" – Greater Vernon Water – Water Use Restriction Stages*.
2. The General Manager may modify the length or dates of the Irrigation Season if drought or other conditions threaten the quantity or quality of water available for use in the Water Service.
3. No person may:
  - a. use water in contravention of *Schedule "A" – Greater Vernon Water – Water Use Restriction Stages*;
  - b. use an excessive or unnecessary quantity of water, or allow water to run to waste, whether wilfully or by allowing leaky, imperfect, defective or improper taps, pipes, meters, indicators or other fixtures to remain in disrepair;
  - c. sell, give, take away or dispose of water obtained from the System, except for commercial resale of: bottled water, liquids containing water, or water obtained from the RDNO truck fill stations;
  - d. use domestic water for Non Domestic Use on properties zoned residential, unless specifically permitted by the RDNO;
  - e. use water for an illegal purpose, or for a purpose or in a manner contrary to any provincial or federal statute or regulation, or to any local government bylaw;
  - f. use water supplied at Agricultural Rates for any purpose other than for Bona Fide Agricultural Use;
  - g. use any device to increase or attempt to increase the amount of water that person is allowed pursuant to this Bylaw;



- h. use water, or have the immediate capability of using water through means of a connected valve or other device which bypasses a Water Meter, or remove, tamper with or in any way interfere with a Water Meter, except as authorized by the RDNO;
- i. open, shut, or regulate any pipe, valve, measuring device, or any other part of the System; and for greater clarity, no person, other than an authorized agent or employee of the RDNO, may maintain or operate or attempt to maintain or operate the Water Works or any portion thereof;
- j. introduce, allow to be introduced or cause to be introduced any Contaminants into the System, the System's source water or any water supplied by the System;
- k. fail to install the required devices as outlined in Section I of this Bylaw;
- l. exceed approved flow rate as outlined in Section I of this Bylaw; or
- m. interfere with the operation of the GVW water system, any water meter, or any fire hydrant, with the intention of circumventing any provincial or federal statute or regulation, or any local government bylaw.

## **I. WATER SERVICE AND WATER SERVICE CONNECTIONS**

1. The following conditions apply to all Water Service and Water Service Connections listed in I.2 – 1.3 below:
  - a. all Water Services shall be metered using a Water Meter;
  - b. applications for the installation of a Water Service Connection shall be made to the RDNO or its authorized agent;
  - c. all equipment and materials used to complete the Water Service Connection must comply with all applicable RDNO bylaws;
  - d. applications for inspection of a Water Service Connection shall be made at the RDNO office or at the office of its authorized agent, and in no case shall the installation or construction of a Water Service Connection be covered until it is inspected and tested by the RDNO;
  - e. when an application has been approved and all necessary installation charges have been paid by the applicant, the RDNO or its authorized agent will install the Water Service Connection from the main to the boundary of the Premises being served, and:
    - i. such connection will terminate with a valve, and the RDNO will be responsible for the maintenance of the connection and the valve; and
    - ii. the Customer will be responsible for the operation and maintenance of the connection downstream from the RDNO valve.
  - f. each property that fronts a GVW main requires a Water Service Connection; and
  - g. where a property that does not front a GVW main proposes to be serviced by means of a Water Service Connection through an adjacent property fronting a GVW main:
    - i. the arrangement must be pre-approved in writing by the RDNO; and

- ii. the water line from the adjacent property to the new property being serviced must be protected by an easement that may not be discharged without the written consent of the RDNO.

2. Water Service for Domestic and Non Domestic Uses.

- a. Completion of the Water Service Connection to the Premises to be served shall be arranged and paid for by the Customer, and must include a shut off valve, a pressure reducing valve, and a Water Meter.
- b. Installations of permanent Underground Irrigation systems for the watering of Food Gardens and/or Lawn and Aesthetic Gardens must:
  - i. be controlled by an Automatic Timing Device;
  - ii. prior to use, have installed an Approved Flow Regulator that limits the flow rate to a maximum of 0.78 litres per second per Water Service Connection; and
  - iii. prior to use, have installed an Approved Backflow Preventer.
- ~~c. ***The maximum depth of water to be applied to a Premises with Allocation for a Non Domestic Use shall not exceed 0.55 metres of water per hectare of Allocation annually.***~~
- d. Notwithstanding Section 1.2.c. above, the RDNO may approve an increase to the maximum flow rate for a Non Domestic Use, such that the increased flow rate is inversely proportional to a reduced daily irrigation period, up to a maximum flow rate of 3.12 litres per second per hectare of Allocation over a six hour per day irrigation period.

3. Water Service for Bona Fide Agricultural Use:

- a. Completion of the Water Service Connection to the Premises to be served shall be arranged and paid for by the Customer, and must include:
  - i. a shut off valve, Water Meter, Approved Backflow Preventer and if necessary a pressure reducing valve, an Approved Flow Regulator and meter pit within one (1) metre of the property line; and
  - ii. for Stock Watering, additional appurtenances, including; ***a water meter capable of capturing low water flows***, a shut off valve, an Approved Flow Regulator, pressure reducing valve, meter, drain, and where the trough may freeze, a fully insulated frost proof float valve system and/or Stock Watering Trough with auxiliary heat will be required .
- b. Water Service for Bona Fide Agricultural Use shall be metered separately from water metered for Domestic Use and other non-agricultural uses, and at no time shall the maximum flow rate exceed 0.78 litres per second per hectare of Allocation or 0.13 litres per second for each Stock Watering Trough. ***Domestic and agricultural water meter pits must be separated horizontally by a minimum of 1.2 meters.***

- ~~c. **The maximum depth of water to be applied to a Premises with Allocation for a Non Domestic Use shall not exceed 0.55 metres of water per hectare of Allocation annually.**~~
- c. **Allocation allows for a maximum depth of 0.55 meters of water per hectare of Allocation to be applied annually to a property during the Irrigation Season for Bona Fide Agricultural Use. Water use over the designated property Allocation will have agricultural over consumption rates apply.**
- d. Premises that have both Potable and Non Potable water supply from the RDNO available at the property line must use Non Potable water for all Bona Fide Agricultural Use. If Potable Water is used for Bona Fide Agricultural Use on properties where Non Potable water is available, domestic or non-domestic and mixed use fees **as determined by the General Manager – ~~Greater Vernon Water~~** for water use will apply.
- e. With prior written approval of the RDNO, a Customer who farms two (2) or more contiguous parcels of land may be allowed to add together the Allocation for each parcel to compute the total flow rate, and the Customer may use the total volume permitted by the total Allocation on the said combined lands.
- f. Customers may make an application to the RDNO to purchase Allocation for an area larger than their actual property size. The application must contain a report signed by a registered professional Agrologist certifying the presence of a special condition existing on the farm lands rendering additional Allocation necessary for the successful farming of such lands. The RDNO may accept, reject, or modify the application as it deems fair and equitable, taking into account hardship to the applicant and the RDNO's ability to supply the additional flow.
- g. The RDNO, in granting any additional Allocation, may prescribe special terms and conditions it deems necessary to restrict the quantity of or the manner in which water is used.
- h. With the exception of Premises served with Non Potable Irrigation water, all agricultural Irrigation and Stock Watering connections must have an Approved Backflow Preventer installed prior to use or seasonal turn on. Properties with both Non Potable Water for Irrigation and domestic Potable Water must install an Approved Backflow Preventer on the potable source prior to use.
- i. **Customers that make application to purchase allocation for properties that are, or will be serviced in the future by a separated non-potable water line, must install at their cost a connection to the non-potable waterline or provide cash in lieu. This includes properties that are contiguous.**

**J. WATER USE RESTRICTIONS AND WATER RESTRICTION STAGES**

1. The water use restriction stage “Normal”, as described in *Schedule “A” – Greater Vernon Water – Water Use Restriction Stages* is the default water restriction in place at all times, unless a change in water use restrictions and/or water restriction stage is provided in accordance with this Bylaw.
2. Notwithstanding Section J.1 of this Bylaw, the General Manager may impose a different water restriction stage, or further restrictions not set out in *Schedule “A” – Greater Vernon Water – Water Use Restriction Stages* for use of water for irrigation or any other purpose, in the event of a disaster, emergency, water contamination or System malfunction. Upon receiving notice of such restriction, no person shall use water for the purpose prohibited or in excess of the allotment imposed by such restriction.

**K. NOTICE OF WATER RESTRICTIONS AND WATER RESTRICTION STAGES**

1. The RDNO or its authorized agents will inform Customers of:
  - a. the imposition of additional restrictions, prohibitions or limitations regarding the use of water; and
  - b. the designation of a restriction stage specified in *Schedule “A” – Greater Vernon Water – Water Use Restriction Stages* of this Bylaw.
2. The obligation to inform Customers of a change under Section K.1 of this Bylaw must be considered satisfied if the RDNO made a reasonable effort to publish information regarding the change on the RDNO website, or in a local newspaper, or broadcast it through a radio or television station broadcasting in the area, not less than 36 hours prior to the change.
3. Notwithstanding Sections K.1 to K.2, in the event of a disaster, emergency, water contamination, or System malfunction, the General Manager may waive the notification requirements, in which case, the RDNO will make reasonable efforts to distribute the emergency notification in a timely manner.

**L. USE OF WATER FOR WASHING STREETS**

1. It shall be an offense for any person, other than a duly authorized municipal contractor or employee in the course of their duties, to use water for the purpose of washing any street, lane or public thoroughfare, except as authorized by the RDNO.

**M. TEMPORARY USE OF FIRE HYDRANTS**

1. No person may:
  - a. connect to, cause to be connected to, or allow to remain connected, any piping, fixture, fitting, container or appliance to any fire hydrant or stand pipe;

- b. use water from a fire hydrant for any purpose other than firefighting; or
  - c. tamper or in any way interfere with a fire hydrant,  
without first obtaining a Fire Hydrant Use Permit in accordance with this Bylaw.
2. All applications for Fire Hydrant Use Permits shall be made at the RDNO office in a form approved by the General Manager.
  3. The General Manager may issue a Fire Hydrant Use Permit on terms and subject to conditions he or she deems necessary, if:
    - a. an application has been received in the appropriate form with the required content;
    - b. the General Manager is satisfied that the proposed temporary use of the fire hydrant complies with the provisions of this Bylaw, the *Fire Services Act*, the *BC Fire Code*, and any other applicable statute or bylaw; and
    - c. the applicable permit fee has been paid.
  4. The General Manager may revoke a Fire Hydrant Use Permit where, in his or her opinion:
    - a. there is a violation of any term or condition under which the Fire Hydrant Use Permit was issued;
    - b. there is a violation of any provision of this Bylaw or any other applicable statute or bylaw; or
    - c. such revocation is reasonably necessary for firefighting purposes or for the purposes of protecting the Water Service.
  5. The issuance of Fire Hydrant Use Permits under this Bylaw shall not be construed in any way to make or hold the RDNO liable or responsible for any loss or damage to any person or property whatsoever, which arises out of or is in any way connected to the actions of the permit holder, whether or not such action was carried out in accordance with the terms of the Fire Hydrant Use Permit.

#### **N. NON-COMPLIANCE WITH WATER USE REGULATIONS OR RESTRICTIONS**

1. The RDNO and its authorized agents, at any time, may enter into and upon any Premises within the GVW Service Area for the purpose of carrying out enquiries, investigations, inspections and testing to determine whether the requirements of this bylaw are being met, including, without limitation, periodic tests of any water being used for any purpose, measurement of water being used, and the inspection and testing of any and all devices connected or having the potential to be connected to the System.
2. No person may obstruct, hinder, or prevent any RDNO employee or authorized agent from entering into or upon any Premises for the purpose of enquiring, investigating, inspecting or testing as authorized by Section N.1 of this Bylaw.

3. The owner or occupier of the Premises, the Customer or any other person having knowledge of:

- a. the Premises; or
- b. any devices on the Premises connected or having the potential to be connected to the System,

shall, upon request, give to RDNO employees and authorized agents such assistance as may be required in carrying out any enquiry, investigation, inspection or test authorized by Section N.1 of this Bylaw.

4. It shall be an offence for any person to:

- a. obstruct, hinder or prevent any RDNO employee or authorized agent from carrying out any enquiry, investigation, inspection or test authorized by this Bylaw; or
- b. refuse or neglect to give any RDNO employee or authorized agent such assistance as may be required under Section N.3 of this Bylaw.

5. If:

- a. any Customer uses water contrary to *Schedule "A" – Greater Vernon Water – Water Use Restriction Stages*;
- b. any other provision of this Bylaw has been contravened or has not been complied with, or has been complied with improperly or only in part; or
- c. conditions exist in or upon Premises or with any devices connected or having the potential to be connected to the System, that constitute a hazard to life or property,

then a Bylaw Officer may make such orders to ensure full and proper compliance with this Bylaw, and in particular, but without limiting the generality of the foregoing, he or she may:

- d. issue to the Customer and/or the owner or occupier of the Premises an order to correct any contravention of this Bylaw, ensure compliance with this Bylaw, or remove the hazard to life or property, within a reasonable and specified period of time;
- e. issue a fine to the Customer and/or the owner or occupier of the Premises, in accordance with Section Q.1.a of this Bylaw; and/or
- f. order that the Customer's Water Service be shut off, including any Water Service that is supplied for the primary purpose of drinking water, food preparation, toilet flushing, showering, and personal hygiene.

6. In the event that a Customer's Water Service is shut off pursuant Section N.5.f of this Bylaw, the Customer may apply to have the Water Service reinstated on the condition that the Customer pays outstanding fines, fees and charges and is in compliance with this Bylaw.
  
7. Notwithstanding any other provision of this Bylaw, the General Manager may order the immediate disconnection of Water Service to any Customer if there is reasonable grounds to believe that the condition of a Customer's supply line poses a threat of contamination to the water supplied by the System or impedes the functioning of the Water Works.

#### **O. EMERGENCY ACTION**

1. The RDNO and/or its authorized agent, may enter upon any Premises and take any action reasonably necessary to respond to an emergency associated with the System, including, without limitation, water line breaks, water quality issues, or System malfunctions.
2. No person may obstruct, hinder, or prevent any RDNO employee or authorized agent from entering into or upon any Premises for the purpose of responding to an emergency associated with the System, and any such obstruction, hindrance or prevention shall constitute an offence.

#### **P. ENFORCEMENT – GENERAL**

1. This Bylaw may be enforced by any Bylaw Enforcement Officer. In the event of a conflict between this Bylaw and any other RDNO bylaw, the provisions of this Bylaw shall govern and supersede.
2. No person shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.

#### **Q. OFFENCE AND PENALTY**

1. Every person who violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and shall be liable to:
  - a. ~~a ticket and fine as set out in The Regional District of North Okanagan Ticket Information Authorization By Law No. 1148, 1993; Ticket Information Authorization Bylaw No. 2908, 2021 and Bylaw Notice Enforcement Bylaw No. 2909, 2021.~~
  - b. on summary conviction, the penalties provided for in the *Offence Act*, and to a fine of not less than \$200.00 and not more than \$2000.00 for each offence, together with the costs of conviction; or
  - c. any combination of the above.

2. Each day that an offence against this Bylaw continues shall be deemed a separate and distinct offence.
3. Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

## **R. REPEAL**

Upon final adoption of this Bylaw the following Bylaws are hereby repealed:

1. Bylaw No. 2248, being the "*Regional District of North Okanagan Water Restrictions Bylaw No. 2248, 2010*" and all amendments thereto; and
2. Bylaw No. 305 being the "*Vernon Irrigation District Bylaw No. 305*", and all amendments thereto.

<b>Read a First Time</b>	this	16th	day of	April, 2014
<b>Read a Second Time as Amended</b>	this	18th	day of	June, 2014
<b>Read a THIRD Time</b>	this	18th	day of	June, 2014
<b>ADOPTED</b>	this	18th	day of	June, 2014

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 "R. Fairbairn"  
 Vice Chair  
 Rick Fairbairn

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 "J. Byron"  
 Corporate Officer  
 Jeanne Byron