

**VILLAGE OF STIRLING  
IN THE PROVINCE OF ALBERTA  
BYLAW # 540-23  
WATER RESTRICTIONS BYLAW**

**A BYLAW OF THE VILLAGE OF STIRLING, IN THE PROVINCE OF ALBERTA, FOR THE  
PURPOSE TO REGULATE THE USE OF WATER WORKS DURING TIMES WHERE A  
WATER RESTRICTION IS IMPOSED**

**WHEREAS**, pursuant to the Municipal Government Act, being Chapter M-26, R.S.A. 2000, as amended from time to time, the Council of a Municipality may pass bylaws for the operation of any public utility;

**AND WHEREAS**, the Council of the Village of Stirling deems it necessary to provide for the control of water works during times where a water restriction has been imposed;

**NOW THEREFORE**, the Council of the Village of Stirling, duly assembled, enacts as follows:

**1 SHORT TITLE**

This Bylaw may be cited as the "Water Restrictions Bylaw".

**2 DEFINITIONS**

In this Bylaw and schedules attached hereto, unless the context otherwise requires, the following definitions apply:

- 2.1 "CAO" means the Chief Administrative Officer of the Village or his designate.
- 2.2 "Council" means the municipal council of the Village of Stirling.
- 2.3 "Customer" means any person, corporation or organization who receives Utility Services, and where the context or circumstances require, includes any person who makes or has made an application for a Utility Service account, and also includes any person acting as an agent or representing a Customer.
- 2.4 "Facilities" means all infrastructure forming part of a Utility Service including mains, lines, pipes, service connection points, pump stations, hydrants, valves and meters.
- 2.5 "Occupant" or "Tenant" means the person that leases or occupies a property to which Utility Services are provided.

- 2.6 "Peace Officer" means any member of the Police Service of Jurisdiction; a Peace Officer appointed under the *Peace Officer Act, Statutes of Alberta 2006 Chapter P-3.5*, or a duly appointed Bylaw Enforcement Officer.
- 2.7 "Person" means a partnership, firm, body corporate, heirs, executors, administrators, agents, or other legal representatives of a person to whom the context can apply according to law.
- 2.8 "Private Service or Private Service Pipe" means a portion of a pipe used or intended to be used for the supply of water, which extends from the water main to the structure or dwelling.
- 2.9 "Property":  
A. in the case of land, means a parcel of land includes premises located upon the land where the context requires; or  
B. in other cases, means personal property.
- 2.10 "Property Owner" means the person who is registered under the Land Titles Act, as the owner of the fee simple estate in the land to which Utility Services are provided.
- 2.11 "RWSC" or Ridge Water Services Commission
- 2.12 "Service Valve" means the valve on a Village Service pipe.
- 2.13 "Shut-Off" means an interruption in or discontinuation of the supply of water.
- 2.14 "Village" means the municipal corporation of the Village of Stirling, in the Province of Alberta, or the area within the Village of Stirling's corporate limits, as the context requires.
- 2.15 "Violation Ticket" means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34*, as amended, or repealed and replaced from time to time, and any Regulations thereunder.

### **3 Restrictions**

Council recognizes that any decision on water restrictions would be done in consultation and at the direction of the Staff of the Water Treatment Plant with RWSC, or done in relation to a need out of a failure in the Water Utility infrastructure, which dictated the need for a restriction.

- 3.1 A water restriction may be imposed under this Bylaw by the CAO which is intended to limit the amount of water being consumed by any customer within the Village corporate boundary.
- 3.2 A water restriction may comprise any of the following requirements which can be applied individually, or collectively to form the water restriction:
  - a. Watering of lawns is restricted between the hours of 10:00 am to 4:00 pm or prohibited.
  - b. All outdoor water use is prohibited. (Outdoor use includes watering of grass; washing of cars, driveways, structures, outside pools and watering of gardens except by way of hand can watering.)
  - c. Closure of the Village Pool and any business use of potable water which is not considered essential.
- 3.3 The CAO will notify the Village of watering restrictions by posting the water restrictions on the Village website, social media streams, marquee sign and at the municipal bulletin board.

#### **4 Enforcement**

Council recognizes an enforcement measure exists within the Village Utilities Bylaw, and will follow that process after the methods in this bylaw have been attempted to gain compliance.

- 4.1 No customer or property shall be permitted to violate a water restriction once it is imposed.
- 4.2 Should a person, occupant or tenant, or property owner be found to be in violation of a water restriction they will first be provided written notice from a Peace Officer of the violation and requested to immediately come into compliance with the restriction.
- 4.3 Should a person, occupant or tenant, or property owner fail to comply with the written notice they are guilty of an offence under this bylaw and shall be subject to a penalty.

#### **5 Offences and Violations**

- 5.1 Anyone who contravenes any portion of this bylaw upon receiving notice to comply has committed an offence and is subject to a penalty of not less than five hundred dollars (\$500.00)
- 5.2 A Peace Officer may issue a violation ticket in relation to the contravention of this bylaw.

**6 Coming into Force and Severability**

6.1 Should a section of this bylaw be found invalid, that section shall be severed, and the remaining sections of the bylaw shall be in force.

6.2 This Bylaw comes into force upon third and final reading.

Read a first time this 6<sup>th</sup> day of September 2023.

Read a second time this 20<sup>th</sup> day of September 2023.

Read a third time this 20<sup>th</sup> day of September 2023.



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Mayor – Trevor Lewington



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CAO – Scott Donselaar