



REPORT

Report Date: March 16, 2021
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RTS No.: 14376
VanRIMS No.: 08-2000-20
Meeting Date: April 13, 2021
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TO: Vancouver City Council
FROM: General Manager of Engineering Services
SUBJECT: Water Works and Conservation By-law Amendments

RECOMMENDATION

- A. THAT Council approve, in principle, miscellaneous amendments to the Drinking Water Conservation By-law 12086, as described in this report, and as generally set out in Appendix A;

FURTHER THAT Council instruct the Director of Legal Services to bring forward for enactment the necessary amendments to the Drinking Water Conservation By-law 12086, generally as set out in Appendix A.

- B. THAT Council approve, in principle, amendments to the By-law Notice Enforcement By-law 10201 to update the designation of screening officers for Drinking Water Conservation By-law enforcement, as described in this report, and as generally set out in Appendix B;

FURTHER THAT Council instruct the Director of Legal Services to bring forward for enactment the necessary amendments to By-law Notice Enforcement By-law 10201, generally as set out in Appendix B.

- C. THAT Council approve, in principle, amendments to the Water Works By-law 4848 to remove outdated language pertaining to meter requirements, as described in this report, and as generally set out in Appendix C;

FURTHER THAT Council instruct the Director of Legal Services to bring forward for enactment the necessary amendments to Water Works By-law 4848, generally as set out in Appendix C.

REPORT SUMMARY

Staff periodically review water conservation related by-laws to ensure language and requirements are up to date, and reflect the operational needs for the City of Vancouver's water system. In this report, updates for three by-laws pertaining to water conservation, efficiency and enforcement are proposed.

This report seeks Council approval of the recommended minor amendments to improve outdated language for the Drinking Water Conservation By-law 12086, to update the designation for enforcement in the By-law Notice Enforcement By-law 10201, and to remove outdated language surrounding meter requirements in the Water Works By-law 4848.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

In January 2011, Council adopted 14 Greenest City targets as Council policy, including a target to reduce per capita water consumption by 33% over 2006 levels by 2020.

In July 2011, the Greenest City Action Plan was adopted by Council.

In July 2011, Council updated the prohibitions on wasting water in Water Works By-law 4848.

In December 2011, Council adopted the 2011-2014 Greenest City Clean Water Work Plan and approved the requirement of new single family and duplex homes to be metered.

On November 4, 2015, Council adopted the 2016-2020 Greenest City Clean Water Work Plan to expand water conservation programs.

In August 2017, Vancouver Park Board endorsed the Park's Water Conservation Action Plan (2017-2020).

In November 2017, Council approved the Water Conservation Program Update to direct staff to review the current water metering policy and develop implementation options.

In May 2018, Council adopted a new Drinking Water Conservation By-law 12086 to repeal the Water Shortage Response By-law.

In May of 2019, Council approved a residential water meter project focusing installs on all homes 0.4 acres or larger, under the Water Works By-law 4848.

On December 10, 2019, Council adopted the recommendation to change the dates that set the peak season and off peak season water rates, to match the water restriction periods set out in the Drinking Water Conservation By-law.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The Acting City Manager supports recommendations A, B and C above.

REPORT

Background/Context

The City's drinking water system is comprised of approximately 1,476 km of water mains that distribute water to more than 101,000 service connections and 6,600 fire hydrants. Drinking water supplied to the City is purchased from Metro Vancouver, which is responsible for supply reservoirs, treatment, and delivery of potable water to regional member municipalities.

Three by-laws are key to reducing water purchase from Metro Vancouver, and continuing water conservation and efficiency efforts in our City. First, the Drinking Water Conservation By-law limits the use of potable water during seasonal (dry season) restrictions, and was adopted in adherence of Metro Vancouver's Drinking Water Conservation Plan. Second, the By-law Notice Enforcement By-law permits the use of screening officers for the enforcement of the Drinking Water Conservation By-law. Finally, the Water Works By-law regulates the use of the Water Works system, including fixing of rates, charges and conditions for the supply of water by the City of Vancouver.

In 2012, Council implemented policy to achieve a fully metered water system over time by requiring meters for all new single-family and duplex properties undergoing redevelopment or major renovations. In 2019, Council approved a water meter initiative to concentrate installs on all existing residential properties 0.4 acres or larger. As of 2020, approximately 11% or 9,400 of single-family and duplex properties are metered, including all residential homes 0.4 acres or larger.

In 2018, Council adopted a new Drinking Water Conservation By-law to repeal the Water Shortage Response By-law. This by-law reflects the updated regional goal to value all potable water, not only under times of drought. The by-law recognizes that residential water usage can nearly double in the summer with lawn watering, and provides means to enforce misuse of water.

Both water metering and seasonal restrictions have contributed to improved water conservation and efficiency in the City of Vancouver. The success of related by-laws has led to a trend of declining water consumption; per capita consumption is down 24% since 2006.

Strategic Analysis

The Water Utility has a mandate to provide clean, safe, secure and accessible drinking water, to manage our assets proactively, to use potable water sustainably and efficiently to extend the life of our current water supplies, and to ensure we are prepared for emergencies. One of the key aspects of these services is water conservation and water resource management. Enabling the efficient use of water in Vancouver is supported through regulation (By-law 12086; By-law 4848); amendment updates keep regulation by-laws current.

The housekeeping amendments being proposed include:

- (a) Clarify certain requirements, update outdated language, and correct minor references in the Drinking Water Conservation By-law;
- (b) Updating the titles of the screening officers designated for Drinking Water Conservation By-law enforcement under the By-law Notice Enforcement By-law; and

- (c) Removing outdated language in the Water Works By-law regarding meter requirements.

Financial

There are no financial implications.

Legal

The proposed amendments to the Drinking Water Conservation By-law are contained in Appendix A.

The proposed amendments to the By-law Notice Enforcement By-law are contained in Appendix B.

The proposed amendments to the Water Works By-law 4848 are contained in Appendix C.

CONCLUSION

It is recommended that the amendments proposed be adopted to modernize language, improve consistency, and increase functionality of water conservation related by-laws.

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**DRAFT By-law to amend the Drinking Water Conservation By-law
Regarding Miscellaneous Amendments**

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. Council amends the indicated provisions of the Drinking Water Conservation By-law No. 12086.
2. In section 3.3, Council:
 - (a) in subsection (b), strikes out “and” at the end of the subsection;
 - (b) in subsection (c), strikes out “.” and substitutes “; and”; and
 - (c) adds a new subsection (d) as follows:

“(d) a water use permit must not be issued for a specific address or location if a water use permit has been issued for that specific address or location in any prior calendar year unless, in the opinion of the City Engineer, a water use permit is necessary in the circumstances.”.
3. In section 3.7, Council strikes out “exemption permit” wherever it appears, and substitutes “permit”.
4. In section 4.1, Council:
 - (a) in subsection 4.1(a), strikes out “June 1 to September 30” and substitutes “May 1 to October 15”; and
 - (b) in subsection 4.1(b), strikes out “June 1 to September 30” and substitutes “May 1 to October 15”.
5. In subsection 5.3(b), Council strikes out “the City website” and substitutes “City social media platforms”.
6. In section 6.2, Council:
 - (a) in subsection (b), adds “(including irrigation systems)” after “systems”; and
 - (b) in subsection (c), strikes out “ponds, waterways,”.

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BY-LAW NO. _____

**A By-law to amend the
By-law Notice Enforcement By-law No. 10201
Regarding Screening Officers
for Drinking Water Conservation By-law enforcement**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of By-law Notice Enforcement By-law No. 10201.
2. In section 7.2, Council strikes out “Engineering Assistant II – Water Conservation” and substitutes “Planning Assistant II – Water Conservation”.
3. In section 7.3, Council strikes out “and Engineering Assistant IVs – Water Conservation” and substitutes “Engineering Assistant IVs – Water Conservation, and Planning Analysts – Water Conservation”.
4. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2021

Mayor

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**DRAFT By-law to amend Water Works By-law No. 4848
regarding meter requirements**

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1. This by-law amends the indicated provisions of Water Works By-law No. 4848.
2. In section 2.1, Council:
 - (a) adds “, and the applicable fees must be paid by the customer in accordance with Schedules A and G of this By-law,” after “A meter is required”;
 - (b) in subsection (a), strikes out “or existing commercial”; and
 - (c) in subsection (c), strikes out “new or existing premises that are .4 acres or more in area” and substitutes “existing commercial premises”.
3. Council strikes out section 5.1, including the heading, and substitutes the following:
”5.1 Deleted.”.

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This document is being provided for information only as a reference tool to highlight the proposed amendments. The draft amending by-laws attached to the Council report **RTS No. 14376** entitled **Water Works and Conservation By-law Amendments** represent the amendments being proposed to Council for approval. Should there be any discrepancy between this redline version and the draft amending by-laws, the draft amending by-laws prevail.

Drinking Water Conservation By-law No. 12086

3.3 The City Engineer may issue a water use permit for a specific address or location, except that:

(a) a water use permit must be for no more than 21 consecutive days;

(b) an extension of a water use permit must be for no more than 21 additional consecutive days;
~~and~~

(c) a water use permit must not be issued for a specific address or location for more than 42 days in total in a calendar year.; ~~and~~

~~(d) a water use permit must not be issued for a specific address or location if a water use permit has been issued for that specific address or location in any prior calendar year unless, in the opinion of the City Engineer, a water use permit is necessary in the circumstances.~~

3.7 A person who is the holder of a water use permit must:

(a) post the water use ~~exemption permit~~ permit issued by the City Engineer, at the place specified in the water use permit, and in such a manner that the ~~exemption permit~~ permit is visible from the street;

(b) only water a lawn or playing field at the place and during the times and dates specified in the water use permit;

(c) comply with all conditions on the water use permit; and

(d) comply with all applicable provisions of this by-law.

4.1 A person may apply in writing to the City Engineer for approval of a proposed water use plan for a playing field or golf course and the application must include the requisite fee set out in Schedule A to this by-law and the following information:

(a) the volume of water the operation has consumed from ~~June 1 to September 30~~ May 1 to October 15 for each of the preceding five years;

(b) the volume of water the operation would consume, under the proposed water use plan, from ~~June 1 to September 30~~ May 1 to October 15 annually;

(c) proposed water conservation measures;

(d) proposed watering schedules, based on stage 1, 2 and 3 water use restrictions;

(e) the proposed implementation date for the water use plan; and

(f) such further information as the City Engineer may require.

5.3 The City Engineer must make a public announcement of the activation of any water use restriction stage, other than the automatic activation of the stage 1 water use restriction on May 1 of each calendar year, and may do so by any or all of the following means:

- (a) radio or television broadcast;
- (b) posting on ~~the City website~~ City social media platforms;
- (c) delivery of notices; or
- (d) publication in a local newspaper.

6.2 A person must not waste water, or suffer, permit or allow waste of water at any time. Without limiting the generality of the foregoing, a person must not waste water, or suffer, permit or allow waste of water at any time by:

- (a) the free discharge or flow of water from premises, on or into a sanitary sewer, watercourse, storm drain, street or adjacent premises;
- (b) leaking of water from appliances, devices, machines, equipment, systems (including irrigation systems), ponds, fountains or water features;
- (c) the use of ~~ponds, waterways,~~ water features, fountains or swimming pools, which do not have a water recirculation device;
- (d) the use of an irrigation system which applies water to an impervious surface; or
- (e) the use of a water hose which is not equipped with an automatic shut-off device.

By-law Notice Enforcement By-law No. 10201

7.2 Council hereby designates all persons employed by the City as a Customer Services Representative – Parking Enforcement, and ~~Engineering Assistant II – Water Conservation Planning Assistant II – Water Conservation~~ as persons that may be appointed as a Screening Officer I, and hereby appoints them as a Screening Officer I.

7.3 Council hereby designates all persons employed by the City as an Operations Supervisor – Parking Enforcement, Superintendent II – Parking Enforcement, all Supervisors and Managers of Revenue Services, ~~and Engineering Assistant IV's – Water Conservation~~ Engineering Assistant IVs – Water Conservation, and Planning Analysts – Water Conservation as persons that may be appointed as a Screening Officer II, and hereby appoints them as a Screening Officer II.

Water Works By-law No. 4848

2.1 Required Meter Service

A meter is required, and the applicable fees must be paid by the customer in accordance with Schedules A and G of this By-law, for:

- (a) new ~~or existing commercial~~ premises;
- (b) a building site;

- (c) ~~new or existing premises that are .4 acres or more in area~~ existing commercial premises; or
- (d) any premises where, in the opinion of the Collector or the City Engineer, the volume of water being used is at least 50% greater than the average volume of water typically used by similar premises, as calculated by the City Engineer in setting the flat rate service charges in Schedule B.

5.1 Deleted

~~5.1 Water Restrictions~~

~~For the purpose of this section and of regulations made hereunder, watering shall be understood to include the distribution of City-delivered potable water by any means on lawns, gardens, or other outdoor areas.~~

~~The City Engineer may from time to time impose restrictions on watering, or change or revoke such restrictions, and in so doing may make the restrictions applicable at specified times or on specified days and may differentiate between classes of customers or areas of the City. Sufficient notice of such restrictions shall be deemed to have been given by publication in a local daily newspaper.~~

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