

# PROPOSED

CD2026-0150  
ATTACHMENT 5

## BYLAW NUMBER 16M2026

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 40M2006, THE WATER UTILITY BYLAW

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**WHEREAS** Council has considered report CD2026-0150 and deems it necessary to pass this bylaw amending Bylaw 40M2006, the Water Utility Bylaw;

#### **NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. Bylaw 40M2006, the Water Utility Bylaw, as amended, is hereby further amended.
2. The following is added after section 5(3) as section 5.1:
  - “5.1 (1) Where this Bylaw allows the Director, Water Services or the Director, Community Planning, to discontinue, disconnect or shut off water service to a Customer, the Directors may also in those circumstances issue an Order directing the Customer or group of Customers to cease or restrict use of water from the Water System in the manner and for the period of time specified in the Order.
  - (2) A Director issuing an Order must publicly disseminate the Order by print or electronic media or by posting on the City’s website and a Customer is deemed to have received notice of such Order and to be aware of its content 24 hours after it is publicly disseminated, or at such sooner time as a copy of the Order is delivered to the Customer’s service address as shown in the Customer’s account by an employee, agent or other representative of Water Services.
  - (3) Nothing in this section limits the ability of a Director in other sections of this Bylaw to discontinue, disconnect, or shut off water service supplied to any Customer.”.
3. The Part heading before section 16, “**PART VII: WATER CONSERVATION**” is deleted and the following is substituted:

“**PART VII: LIMITING WATER WASTAGE**”.
4. Subsections 16(1)(a) to 16(1)(f) are deleted and the following is substituted:

“16. (1) For the purposes of this section, “Low Flow Plumbing Fixtures” means:
  - (a) toilets having a total water usage of no greater than 4.8 litres per flush including the contents of both the tank and bowl of the toilet;

# PROPOSED

## BYLAW NUMBER 16M2026

- (b) urinals having a total water usage of no greater than 1.9 litres per flush but does not include urinals which flush automatically after a period of elapsed time, regardless of the amount of water usage per flush;
  - (c) showerheads having a rate of water flow no greater than 7.6 litres per minute for any and all available settings on the showerhead;
  - (d) residential lavatory faucets having a rate of water flow no greater than 5.7 litres per minute;
  - (e) residential kitchen faucets having a rate of water flow no greater than 8.3 litres per minute;
  - (f) public lavatory faucets having a total water flow of no greater than 1.9 litres per minute; and
  - (g) commercial pre-rinse spray valves having a rate of water flow no greater than 4.9 litres per minute.”.
5. The Part heading before section 19, “**PART VIII: EMERGENCIES AND OUTDOOR WATER USE RESTRICTIONS**” is deleted and the following is substituted:

**“PART VIII: WATER CONSERVATION MEASURES”**.

6. The following is added after section 19 as section 19.1:

“OUTDOOR WATERING SCHEDULE

- 19.1. (1) An Owner or Occupier of a parcel or premises must not allow the use of Potable Water supplied through the Water System for the watering of lawns, gardens, trees, or shrubs unless:
- (a) the municipal address for the parcel or premises is an odd number and the watering takes place between the hours of 1900h and 1000h on a Wednesday, Friday or Sunday; or
  - (b) the municipal address for the parcel or premises is an even number and the watering takes place between the hours of 1900h and 1000h on a Tuesday, Thursday or Saturday.
- (2) Subsection (1) above does not apply to:
- (a) the watering of new grass sod laid within the last 21 days;
  - (b) the watering of new grass seed sown within the last 45 days;

# PROPOSED

## BYLAW NUMBER 16M2026

- (c) the watering of new trees and shrubs during their establishment period (5 years);
- (d) the watering of gardens, trees or shrubs by spring-loaded nozzles with automatic shut-offs connected to a hose or by hand-held container;
- (e) the watering of edible food crops;
- (f) the watering of plants for commercial sale or donation;
- (g) the Owner or Occupier of the parcel or premises holds a valid and subsisting certificate as a Tier One or Tier Two Water Managed System;
- (h) the watering of historically significant plant material at a designated Historic Resource, legally protected via the Historical Resources Act, RSA 2000, c H-9; or
- (i) the parcel or premises is used as a cemetery as defined in the Cemeteries Act, RSA 2000, c C-3.

(3) This section, (section 19.1 Outdoor Watering Schedule) is not in effect for the duration of a declaration of an Outdoor Water Use Restriction under section 20.”.

7. The first heading preceding section 20, “OUTDOOR WATER USE RESTRICTIONS” is deleted and the following is substituted:

“OUTDOOR CITY POTABLE WATER USE RESTRICTIONS”.

8. The following is added after section 20.1(3) as section 20.2:

“DISCONTINUE SERVICE

20.2 Where a Customer fails to comply with an Outdoor Water Use Restriction under this Part of the Bylaw, the Director, Water Services may, on notice to the Customer, discontinue water service until the Customer remedies the non-compliance.”.

9. In **SCHEDULE “B” -- OFFENCES: SPECIFIED PENALTIES**, after:

<b><u>SECTION NUMBER</u></b>		<b><u>SPECIFIED PENALTY</u></b>
“18(1)(c)	Allow spray or stream of Potable Water to run into street or sidewalk or parcel	\$200”

# PROPOSED

BYLAW NUMBER 16M2026

the following is added under the headings indicated:

<u>SECTION NUMBER</u>		<u>SPECIFIED PENALTY</u>
19.1(1)	Outdoor watering of lawn, garden, tree or shrub contrary to the Outdoor Watering Schedule	\$200".

**[Remainder of this page is intentionally left blank]**

# PROPOSED

BYLAW NUMBER 16M2026

10. **SCHEDULE “E” – OUTDOOR CITY POTABLE WATER USE RESTRICTIONS** is deleted in its entirety and the following is substituted:

**“SCHEDULE “E” – OUTDOOR CITY POTABLE WATER USE RESTRICTIONS**

All outdoor use of City potable water is prohibited during the declaration of an Outdoor Water Use Restriction (including those activities listed in rows 1-19 under Column 1), unless a specific staged exemption applies.

Exemptions are listed for specific activities under each stage (Columns 4 to 7) and such exemptions are further limited by Customer (Column 3) and application method (Column 2).

	<b>1. Prohibited Activity at Any Stage of Restrictions unless specific Staged Exemption applies</b>	<b>2. Application Method Allowed during Staged Exemption</b>	<b>3. Person or Entity Allowed to use water during Staged Exemption</b>	<b>4. Stage One Exemptions  (Low risk to water supply)</b>	<b>5. Stage Two Exemptions  (Moderate risk to water supply)</b>	<b>6. Stage Three Exemptions  (High risk to water supply)</b>	<b>7. Stage Four Exemptions  (Severe risk to water supply)</b>
1.	Watering of lawns	Any method except those listed below	All Customers listed for a specific day and time as set by the Director, Water Services, excepting those entities listed below	Only one day per week to a maximum of <b>2 hours per day</b> between the hours of 1900h and 1000h (based on a Schedule as determined by the Director, Water Services)	Only one day per week to a maximum of <b>1 hour per day</b> between the hours of 1900h and 1000h (based on a Schedule as determined by the Director, Water Services)	None (Not Allowed)	None (Not Allowed)

# PROPOSED

BYLAW NUMBER 16M2026

	1. Prohibited Activity at Any Stage of Restrictions unless specific Staged Exemption applies	2. Application Method Allowed during Staged Exemption	3. Person or Entity Allowed to use water during Staged Exemption	4. Stage One Exemptions (Low risk to water supply)	5. Stage Two Exemptions (Moderate risk to water supply)	6. Stage Three Exemptions (High risk to water supply)	7. Stage Four Exemptions (Severe risk to water supply)
			The City of Calgary	None (Not Allowed)	None (Not Allowed)	None (Not Allowed)	None (Not Allowed)
			Multi-family residential (12 units or greater) and ICI (Industrial, Commercial, and Institutional) on the same irrigation system	Only <b>2 days per week</b> between the hours of 1900h and 1000h (based on a Schedule as determined by the Director, Water Services)	Only <b>1 day per week</b> between the hours of 1900h and 1000h (based on a Schedule as determined by the Director, Water Services)	None (Not Allowed)	None (Not Allowed)
		Irrigation by a Tier One Water Managed Site	Tier One Certificate holders	Allowed provided that watering program reduced by 10%	Allowed provided that watering program reduced by 20%	Allowed provided that watering programs reduced by 30%	None (Not Allowed)
		Irrigation by a Tier Two Water Managed Site	Tier Two Certificate holders	Allowed provided that watering program	Allowed provided that watering program	Allowed provided that watering programs	None (Not Allowed)

# PROPOSED

BYLAW NUMBER 16M2026

	1. Prohibited Activity at Any Stage of Restrictions unless specific Staged Exemption applies	2. Application Method Allowed during Staged Exemption	3. Person or Entity Allowed to use water during Staged Exemption	4. Stage One Exemptions (Low risk to water supply)	5. Stage Two Exemptions (Moderate risk to water supply)	6. Stage Three Exemptions (High risk to water supply)	7. Stage Four Exemptions (Severe risk to water supply)
				reduced by 15%	reduced by 25%	reduced by 35%	
2.	Watering of gardens, trees and shrubs  (lawns excluded)	Irrigation with sprinkler connected to a hose or any irrigation system with automatic shut off	All Customers except those listed below	Only one day per week to a maximum of <b>2 hours per day</b> between the hours of 1900h and 1000h (based on a Schedule as determined by the Director, Water Services)	Only one day per week to a maximum of <b>1 hour per day</b> between the hours of 1900h and 1000h (based on a Schedule as determined by the Director, Water Services)	None (Not Allowed)	None (Not Allowed)
			The City of Calgary	None (Not Allowed)	None (Not Allowed)	None (Not Allowed)	None (Not Allowed)
			Multi-family residential (12 units or greater) and ICI (Industrial, Commercial, Institutional)	Only <b>2 days per week</b> between the hours of 1900h and 1000h (based on a Schedule as	Only <b>1 day per week</b> between the hours of 1900h and 1000h (based on a Schedule as determined	None (Not Allowed)	None (Not Allowed)

# PROPOSED

BYLAW NUMBER 16M2026

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			on the same irrigation system	determined by the Director, Water Services)	by the Director, Water Services)		
		Irrigation by a Tier One Water Managed Site	Tier One Certificate holders	Allowed provided that watering program reduced by 10%	Allowed provided that watering program reduced by 20%	Allowed provided that watering program reduced by 30%	None (Not Allowed)
		Irrigation by a Tier Two Water Managed Site	Tier Two Certificate holders	Allowed provided that watering program reduced by 15%	Allowed provided that watering program reduced by 25%	Allowed provided that watering program reduced by 35%	None (Not Allowed)
		Spring-loaded type nozzles with automatic shut off connected to a hose or hand-held containers	All Customers	Allowed	Allowed	Allowed	None (Not Allowed)

# PROPOSED

## BYLAW NUMBER 16M2026

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3.	Watering of New Grass (sod or seed)  <i>New Sod means laid within last 21 days</i>  <i>New Seed means sown within last 45 days</i>	Irrigation with sprinkler connected to a hose or any irrigation system with automatic shut off	All Customers except those listed below	Allowed	Allowed	None (Not Allowed)	None (Not Allowed)
			Tier One Certificate holders – Irrigation by Water Managed Sites	Allowed provided that watering program reduced by 10%	Allowed provided that watering program reduced by 20%	Allowed provided that watering program reduced by 30%	None (Not Allowed)
			Tier Two Certificate holders – Irrigation by Water Managed Sites	Allowed provided that watering program reduced by 15%	Allowed provided that watering program reduced by 25%	Allowed provided that watering program reduced by 35%	None (Not Allowed)
		Spring-loaded type nozzles with automatic shut off connected to a hose or hand-held containers	All Customers	Allowed	Allowed	Allowed	None (Not Allowed)

# PROPOSED

BYLAW NUMBER 16M2026

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4.	Watering of new trees and shrubs during establishment period (5 years)	Irrigation with sprinkler connected to a hose or any irrigation system with automatic shut off	All Customers except those listed below	Allowed	Allowed	None (Not Allowed)	None (Not Allowed)
			Water Managed Site Tier One Certificate holders	Allowed	Allowed	Allowed	None (Not Allowed)
			Water Managed Site Tier Two Certificate holders	Allowed	Allowed	Allowed	None (Not Allowed)
		Spring-loaded type nozzles with automatic shut off connected to a hose or hand-held containers	All Customers	Allowed	Allowed	Allowed	None (Not Allowed)
5.	Watering of edible food crops	Irrigation with sprinkler connected to a hose or any	All Customers	Allowed	Allowed	None (Not Allowed)	None (Not Allowed)

# PROPOSED

BYLAW NUMBER 16M2026

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		irrigation system with automatic shut off					
		Spring-loaded type nozzles with automatic shut off connected to a hose or hand-held containers	All Customers	Allowed	Allowed	Allowed	Allowed
6.	Watering of plants for commercial sale or donation	Any	Operators of nurseries, garden centers, turf and tree farms, urban farms and food growing community organizations	Allowed	Allowed	Allowed	Allowed
7.	Testing and auditing of	Irrigation system with	All Customers	Allowed	Allowed	None (Not Allowed)	None (Not Allowed)

# PROPOSED

BYLAW NUMBER 16M2026

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	Irrigation systems	automatic shut off	Tier One and Two Certificate holders and Applicants to the Water Managed Sites Program undergoing irrigation auditing	Allowed	Allowed	Allowed	None (Not Allowed)
8.	Water use on Integrated Pest Management Test Sites	Any	City of Calgary Operations at Pest Management Test Sites	Allowed	Allowed	None (Not Allowed)	None (Not Allowed)
9.	Wash down sidewalks, walkways, and driveways for any reason other than those permitted	Any	All Customers	None (Not Allowed)	None (Not Allowed)	None (Not Allowed)	None (Not Allowed)

# PROPOSED

BYLAW NUMBER 16M2026

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	by section 20(6)						
10.	Washing exterior building surfaces, including windows	Any	All Customers	Allowed	Allowed	Allowed	None (Not Allowed)
11.	Washing of vehicles outdoors	Any	All Customers	Allowed subject to the Stormwater Bylaw 37M2005	Allowed subject to the Stormwater Bylaw 37M2005	None (Not Allowed)	None (Not Allowed)
			Customers required to wash vehicles for environmental or health and safety regulations	Allowed subject to the Stormwater Bylaw 37M2005	Allowed subject to the Stormwater Bylaw 37M2005	Allowed subject to the Stormwater Bylaw 37M2005	Allowed subject to the Stormwater Bylaw 37M2005
12.	Filling of Fountains and	Any	All Customers	None (Not Allowed)	None (Not Allowed)	None (Not Allowed)	None (Not Allowed)

# PROPOSED

BYLAW NUMBER 16M2026

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	other Decorative Features						
13.	Filling of outdoor hot tubs, swimming and wading pools	Any	All Customers	Allowed	Allowed	None  Not Allowed unless exempted by the Director, Water Services under section 20(8)	None  Not Allowed unless exempted by the Director, Water Services under section 20(8)
14.	Water use for construction or renovation purposes	Any	All Customers	Allowed	Allowed	Allowed	None (Not Allowed)
15.	Outdoor snow or ice making	Any	All Customers	Allowed	Allowed	None  Not Allowed unless exempted by the Director, Water	None  Not Allowed unless exempted by the Director, Water

# PROPOSED

BYLAW NUMBER 16M2026

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						Services under section 20(8)	Services under section 20(8)
16.	Watering of livestock	Any	Farm Operators	Allowed	Allowed	Allowed	Allowed
17.	Essential hydrant and main flushing	Any	The City of Calgary	Allowed	Allowed	Allowed	Allowed
18.	Essential street, bridge and transit infrastructure cleaning and washing	Any	The City of Calgary	Allowed	Allowed	Allowed	Allowed
19.	Watering of cemetery grounds	Any	Cemetery Operators	Allowed	Allowed	Allowed	Not Allowed.”

# PROPOSED

BYLAW NUMBER 16M2026

## COMING INTO FORCE

11. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR  
SIGNED ON MM DD YYYY

\_\_\_\_\_  
CITY CLERK  
SIGNED ON MM DD YYYY