

**VILLAGE OF PEMBERTON  
BYLAW NO. 971, 2024**

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**A bylaw to regulate once through water usage within the Village of Pemberton**

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The Council of the Village of Pemberton, in open meeting assembled, **ENACTS AS FOLLOWS:**

**CITATION**

1. This bylaw may be cited for all purposes as the “Village of Pemberton Once Through Water Usage Bylaw No. 971, 2024”.

**INTERPRETATION**

**Definitions**

2. In this bylaw,

*assistant manager of Operations* means the person holding this position for the Village;

*building official* has the meaning set out in Village of Pemberton Building Bylaw No. 912, 2021;

*bylaw enforcement officer* has the meaning set out in Village of Pemberton Bylaw Notice Enforcement Bylaw No. 874, 2020;

*manager of Operations* means the person holding this position for the *Village*;

*once through cooling equipment* means equipment that produces a cooling effect by transfer of heat to water that is only circulated once through the equipment and is then discharged;

*person* includes an individual, corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law;

*property* means a parcel of land and all structures contained within its boundaries residing in the Village;

*Village* means Village of Pemberton; and

*water* means potable water supplied by the *Village*.

**Interpretation**

- 3 (1) The [\*Interpretation Act\*](#) applies to this bylaw.

- (2) In this bylaw, a reference to an *Act* refers to a statute of British Columbia and a reference to any statute, regulation or other enactment refers to that enactment as amended or replaced from time to time.
- (3) A reference to a person who holds an office includes a person appointed to act for that person from time to time.

### **Severability**

4. If any definition, section, subsection, paragraph, subparagraph, clause or phrase in this bylaw is held invalid by a court of competent jurisdiction, the invalid definition, section, subsection, paragraph, subparagraph, clause or phrase must be severed, and the remainder of this bylaw is deemed to have been adopted without the severed definition, section, subsection, paragraph, subparagraph, clause or phrase.

### **Purpose**

5. The purpose of this bylaw is to conserve *water* by prohibiting its waste and by regulating its use for once through applications.

### **GENERAL**

- 6 (1) No person may connect a reservoir style urinal to *water*.
- (2) No person may permit a reservoir style urinal to remain connected to *water*.
- (3) No person may connect *once through cooling equipment* to *water*.
- (4) No person may permit *once through cooling equipment* to remain connected to *water*.
- (5) No person may run *water* through piping, hoses, fixtures, or building equipment or systems as a form of freeze protection.
- (6) No person may waste *water* or allow *water* to be wasted.
- (7) No person shall use *water*, or cause or allow *water* to be used, contrary to this bylaw.

### **ENFORCEMENT**

- 7 (1) The *manager of Operations*, *assistant manager of Operations*, *bylaw enforcement officer*, and *building official* are authorized to enter on any parcel at all reasonable times to ascertain whether the regulations and directions of this bylaw are being observed.
- (2) Any person who:
  - (a) contravenes any provision of this bylaw;

- (b) fails to comply with any order or notice issued by the *building official, bylaw enforcement officer, manager of Operations, or assistant manager of Operations*;
- (c) causes or allows any act or thing to be done in contravention of any provision of this bylaw; or
- (d) fails or neglects to do anything required to be done by any provision of this bylaw,

commits an offence.

(3) Each day during which an offence under this bylaw continues is a new and separate offence.

(4) A person found guilty of an offence under this bylaw is liable if:

- (a) proceedings are brought under the *Offence Act (B.C.)*, to pay a fine to maximum of \$50,000 and such other amounts as the court may impose in relation to the offence; or
- (b) a ticket is issued under the *Village of Pemberton Municipal Ticket Information Utilization Bylaw No. 845, 2018*, to pay a fine to a maximum of \$1,000;
- (c) a bylaw notice is issued under a bylaw made under the *Local Government Bylaw Notice Enforcement Act*, to pay a penalty to a maximum authorized under that *Act*.

### **EFFECT**

8. This bylaw comes into effect on the date of adoption, except for

- a) section 6 (2), which comes into effect one (1) year after the date of adoption of this bylaw; and
- b) section 6 (4), which comes into effect five (5) years after the date of adoption of this bylaw.

**READ A FIRST TIME** this 18<sup>th</sup> day of June, 2024.

**READ A SECOND TIME** this 18<sup>th</sup> day of June, 2024.

**READ A THIRD TIME** this 18<sup>th</sup> day of June, 2024.

**ADOPTED** this 9<sup>th</sup> day of July, 2024.

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Mike Richman  
Mayor

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Gwendolyn Kennedy  
Corporate Officer