

Chapter 13.28

WATER CONSERVATION

Sections:

13.28.010 Wasting of water prohibited.

13.28.020 Summer water use restrictions.

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A. Prohibition. Consumers of water supplied by the town shall prevent unnecessary waste of water and shall keep all water outlets closed when not in actual use. Hydrants, urinals, water closets, bathtubs and other openings must not be left running for any purpose other than the use for which they were intended, and all such fixtures must be kept in good repair. The escape of water from the premises upon which water is being utilized shall be prima facie evidence of wasting of water.

B. Rationing. At any time the water available to the town is insufficient to provide unlimited usage to all consumers, the town administrator or town council shall be authorized and empowered to ration and limit the usage of water for other than in-house uses for such periods of time and under such rules and regulations as the town administrator or town council shall from time to time adopt. Rationing and limitation of usage shall become effective on the day following the publication in a legal newspaper of general circulation in the town of the regulations governing the rationing and limitation upon such water usage.

C. Suspension of Service. Water service shall be discontinued to all persons who waste water or who violate any rule or regulation governing the rationing or limitation of usage

of water. Such service shall not be restored until the cause of waste has been corrected or the violation of such rules and regulations has been abated and until the consumer has paid the sum of five dollars (\$5.00) to cover the cost of reestablishing service.

D. Penalties. A person found guilty of violating any provision of this section shall be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment. Upon first conviction, the fine imposed shall not be less than five dollars (\$5.00); upon second conviction, the fine imposed shall not be less than ten dollars (\$10.00); and on the third conviction, the fine imposed shall not be less than fifteen dollars (\$15.00). A person shall be guilty of a separate offense for each and every day during any portion of which a violation of any provision of this section is committed, continued or permitted by such person. (Ord. 2002-5 § 4 (part); prior code § 11-16-010)

13.28.020 Summer water use restrictions.

Due to high flow demands through the town's water distribution system during summer irrigation months and the town's limited water supply, the following watering restrictions shall apply each year:

A. Restriction Period. The watering restrictions shall be in effect yearly commencing at twelve a.m. on May first and continuing until twelve a.m. on October first.

B. Application. The watering restrictions only apply to use of the town's potable water. Property owners who have a private well, raw water system, or some other alternative water source are not restricted in their use of that water.

C. **Irrigation Restrictions.** Summer irrigation watering shall be limited to four hours per day, between the hours of twelve a.m. to ten a.m. and six p.m. to midnight, and shall be limited to every other day based on odd and even address numbers. Addresses ending in odd numbers may irrigate on odd days, and addresses ending in even numbers may irrigate on even days. The irrigation restriction applies only to the irrigation of lawns, trees, shrubs and other vegetation planted in the ground.

D. **Exemption Permit.** An exemption permit may be issued to a customer during one calendar year. The town may issue no greater than one exemption permit to a customer for the purpose of watering newly installed landscaping, lawns, and trees. The customer shall prominently display a copy of the exemption permit in the area to be watered. The exemption permit shall authorize the customer to water during the no use period. The exemption shall be issued by the town for a period of thirty (30) days.

E. **Recreational Water Use.** Water use restrictions shall not apply to children's games or activities that utilize water so long as at least one child is actively participating in the game or activity while the water is being used. Unattended running sprinklers or water toys shall be subject to fines applicable to unauthorized irrigation.

F. **Restrictions on Town.** The town government shall abide by the watering restrictions and exemptions set forth in this section, except that the town is not restricted in its use of water for street cleaning or emergency purposes.

G. **Construction Water.** Town water may be used for construction purposes from a hydrant or otherwise, including but not limited to tire washing, dust suppression, and to clean construction debris from streets, only with a valid permit from the town or pursuant to an authorized sale of bulk water.

H. **Fine Schedule.** The following fines shall be issued for violations of this section:

1. First offense during a calendar year: written warning;
2. Second offense during a calendar year: twenty-five dollar (\$25.00) fine;
3. Third offense during a calendar year: one hundred dollar (\$100.00) fine;
4. Additional offenses during the same calendar year: two hundred dollar (\$200.00) fine, plus the town may disconnect water service until the fine is paid and the offender has provided written assurances of future compliance. The town may assess a reconnection fee as set by the town's fee schedule.

Parties may avoid paying a fine by submitting proof to the town administrator that they have set up a watering system with a timer, either with aboveground hoses or a permanent buried system, sufficient to ensure future compliance with the provisions of this section. (Ord. 2007-11 § B(17); Ord. 2003-6 § 2: prior code § 11-16-020)