

ORDINANCE NO. 8, 2010

AN ORDINANCE ESTABLISHING A POLICY AND PROCEDURE FOR
CONSERVATION, RATIONING AND ALLOCATION OF FINISHED WATER
DURING DROUGHT

WHEREAS, the City of Lawrence owns and operates through its Utility Service Board potable water treatment plants together with wells supplying raw water and a finished water storage and distribution system (the "Utility"); and

WHEREAS, climatic conditions or other circumstances may arise or occur which cause a shortage of raw water from the underlying aquifer to the Utility; and

WHEREAS, such raw water shortage or treatment, distribution or other circumstances may affect the Utility's ability to provide an adequate supply of finished water or the Utility's ability to maintain adequate water pressure in its distribution system; and

WHEREAS, in such event, it is in the best interest of the citizens of the City of Lawrence that the supply and use of water deemed nonessential to the health, safety and welfare of the citizens of the City of Lawrence be voluntarily conserved or placed under mandatory restrictions; and

WHEREAS, the Common Council finds it necessary to provide the capability either to provide voluntary or to require mandatory water conservation measures in the event of drought or substantially reduced capability to meet finished water demand; and

WHEREAS, the Common Council desires to adopt a water consumption and conservation policy providing for appropriate conservation, rationing and allocation of finished water during a time or times of drought.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Lawrence as follows:

SECTION 1. APPLICATION

This ordinance shall apply to all persons, firms, partnerships, corporations, companies or organizations or entities of any kind (hereafter referred to as Users) connected to the Utility's potable water system or using water treated by the Utility.

SECTION 2. DECLARATION OF NEED

Upon determination by the Utility Superintendent that the public water system is experiencing a shortage of water, is in imminent danger of a shortage of water or is unable to maintain adequate pressure in the water system, defined as a minimum pressure of 30 psi, the Utility Superintendent shall inform the Utility Service Board and the Mayor and shall advise them concerning the nature of the shortage and the level of conservation needed. The Mayor shall have the authority to declare a water conservation emergency and establish and make public the level and the duration thereof.

SECTION 3. LEVELS OF CONSERVATION ESTABLISHED

Level 1 – Voluntary Conservation – Users shall be requested to reduce water consumption by practicing voluntary conservation techniques. Customers shall be requested to voluntarily comply by restricting lawn sprinkling and irrigation using odd/even numbered days as a guideline. Those customers with odd numbered addresses shall water only on odd numbered days, and those with

even numbered addresses on even numbered days. Other voluntary conversation techniques to be observed by Users include:

- Avoiding washing vehicles, trailers, mobile homes or other types of mobile equipment;
- Avoiding spraying down sidewalks, driveways or washing of commercial/industrial equipment or machinery.
- Filling of empty swimming pools would be strongly discouraged.
- Installation of landscaping or new lawns by sod would be discouraged.
- Fundraisers dependent upon water, such as car washes, would be discouraged.
- Golf courses using public water for sprinkling would be encouraged to reduce watering of greens and tee boxes to every other day and to reduce fairway watering to once per week.

Level 2 – Mandatory Conservation – Until mandatory conservation measures are ended by the Mayor's declaration, customers shall be prohibited from the following:

- Sprinkling, watering or irrigation of grass.
- Washing of cars, trucks, trailers, mobile homes or any other type of machinery or equipment except where required by applicable state, local or federal law for health and safety reasons.
- Cleaning sidewalks, driveways, paved areas, structures, buildings or other outdoor surfaces by use of water consuming practices.
- Filling of empty swimming pools.
- Washing cars or other vehicles or equipment as a fundraiser.
- Installation of new landscaping or lawn by using sod.
- Using of public fire hydrants except by the City of Lawrence Fire Department for fire suppression or as directed by the Utility Superintendent for necessary utility purposes.
- Operating non-recycling water fountains.

SECTION 4. EXCEPTIONS TO MANDATORY CONSERVATION MEASURES

The following items are exceptions to the mandatory restrictions on water usage:

- Manual commercial car washes provided that only a handheld hose with a shut-off nozzle is used.
- Golf courses connected to the public water system, provided that tee boxes and greens are watered only on an every other day schedule that begins on Monday of each week, and fairways are watered only once per week on Thursdays.
- Nursing homes or other public health facilities, provided all other non-essential uses are eliminated or otherwise comply with the prohibitions listed above.

SECTION 5. NOTIFICATIONS

Notification of voluntary and mandatory restrictions ordered by the Mayor shall be made by publication in a local newspaper of general circulation (the Indianapolis Star) or other means as deemed appropriate by the Utility Service Board. The notice shall be effective as of the date of publication of the notice. The Utility also shall provide bill inserts for the next regular billings of all account holders of the Utility. In addition, the Utility may distribute door hangers or other notices such as flyers. Further, the Utility may issue public service announcements via local radio and television stations, as well as other means such as postings on the City's website and on the local government Channel 28.

SECTION 6. ENFORCEMENT

Utility personnel may be utilized to monitor and address violations of mandatory prohibitions. At the direction of the Mayor, other City agencies or departments may be utilized to assist the Utility in monitoring mandatory restrictions. During a time for observing voluntary restrictions, utility personnel may, upon encountering a use that is discouraged, provide water conservation literature to the persons or business engaging in undesirable practices.

During a period of mandatory restriction, all first violations shall be subject to a \$100.00 fine. A second offense during the same period of restriction shall be subject to a fine of \$250.00. After three or more offenses, these violations may be referred to the City's legal staff for further legal action, which may include a recommendation from the Utility Service Board for fines of up to \$2,500.00 but not less than \$500.00 and/or disconnection of water service.

Commercial irrigation systems, including those irrigation systems located in common areas of residential subdivisions, found to be in violation of mandatory restrictions shall be fined \$250.00 for the first offense. Upon a second offense, the Utility shall terminate the irrigation water service and remove the meter serving the system.

SECTION 7. The provisions of this ordinance shall be in full force and effect from and after its adoption by the Common Council, approval by the Mayor and publication as required by law

Adopted this 5th day of April, 2010

Attest: Kathleen A. Walton D. Coz
Kathleen A. Walton, Presiding Officer
City Clerk

Presented by me to the Mayor of the City of Lawrence, Indiana this 5th day of April, 2010.

Kathleen A. Walton
Kathleen A. Walton, City Clerk

Presented to me and signed this 13 day of April, 2010.

Paul Ricketts
Paul Ricketts, Mayor