



WATER SHORTAGE RESPONSE PLAN

City of Bessemer City Utilities Department

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ORDINANCE ADDRESSING WATER SHORTAGE CONSERVATION PROVISIONS

WHEREAS, A water shortage shall be deemed to exist when water demand by customers connected to the city water system reaches the point where continued or increased demand will equal or exceed the system supply and transmission capabilities. When demand results in the condition whereby customers cannot be supplied with water to protect their health and safety then the demand must be substantially curtailed to relieve the water shortage. For the purpose of this subchapter, the term WATER SYSTEM shall mean the water system of the city both inside and outside the city limits.

NOW THEREFORE BE IT ORDAINED by the City Council of Bessemer City, that the Water Shortage Conservation Provision Ordinance be regulated as follows:

§ 52.31 DECLARATION OF WATER SHORTAGE.

In the event it appears that water demand on the city water system may exceed supply and transmission capabilities, the Water Superintendent may recommend to the City Manager that voluntary water conservation measures be implemented. The City Manager, following consultation with the City Council, may declare a Stage I Water Shortage Condition Advisory requesting voluntary water conservation by consumers. In the event that voluntary conservation measures fail to relieve the demand on the system, the city may advance to a Stage II or Stage III Water Shortage Condition. The City Manager, following consultation with the City Council, may, with or without the recommendation of the Water Superintendent, declare that a Stage II or Stage III Water Shortage Condition exists.

§ 52.32 STAGE I WATER SHORTAGE CONDITIONS; GUIDELINES.

- (A) In the event a Stage I Water Shortage Condition is declared, the following guidelines apply:
- (1) An extensive publicity campaign will be initiated using public media and specialized methods to inform the public of an impending or existing water shortage.
 - (2) Conservation measures will be encouraged and recommended.
- (B) In the event a Stage I water shortage condition is declared, the following guidelines shall apply and the public shall be encouraged to adhere to the following:
- (1) Limit car washing to the minimum.
 - (2) Limit lawn and garden watering to that which is necessary for plants to survive.
 - (3) Cease washing down outside areas such as sidewalks, patios, parking lots, service bays or aprons, and the like.
 - (4) Cease leaving faucets running while shaving or rinsing dishes.

- (5) Limit watering shrubbery to the minimum required, reusing household water when possible.
- (6) Limit use of clothes washers and dish washers and when used, operate fully loaded.
- (7) Use showers rather than bathtubs for bathing, and limit showers to no more than four minutes.
- (8) Limit flushing of toilets by multiple usage.
- (9) Use disposable and biodegradable dishes as much as possible.
- (10) Use flow restrictive and water saving devices.
- (11) Limit hours of operation of water cooled air conditioners.
- (12) Temporarily delay new landscape work by all residents, businesses, and institutions until the water shortage has ended.

§ 52.33 STAGE II WATER SHORTAGE CONDITIONS; UNLAWFUL USES OF WATER.

(A) In the event a Stage II Water Shortage Condition is in effect and the raw water storage facilities drop to 60% or less of storage then the City Manager may declare a Stage II Water Shortage. In exercising the authority for declaring a water shortage condition consideration shall be given to water shortage levels and available sources of supply, available usable storage on hand, drawdown rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

(B) In the event the City Manager issues a declaration of a Stage II Water Shortage Condition, then it shall be unlawful for any person, firm, or corporation to use or permit the use of water from the water system for any purpose hereinafter set forth until such time as the declaration of water shortage has been rescinded. In addition to the voluntary guidelines already in effect, it shall be unlawful to use water supplied by the city water system in the following manner:

(1) To water lawns, grass, shrubbery, trees, flowers, and vegetable gardens except in accordance with the following schedule set forth below for specific areas of the city. Such watering shall be done by hand-held hose or container or drip irrigation system only. All areas north of the tracks of the Southern Railroad on Sundays and Thursdays between 6:00 a.m. and 9:00 a.m. All areas south of the tracks of the Southern Railroad on Saturdays and Wednesdays between 6:00 a.m. and 9:00 a.m.

(2) To fill newly constructed swimming and/or wading pools or to add water or to refill private swimming and/or wading pools which have been drained.

(3) To wash automobiles, trucks, trailers, boats, airplanes, or any other type of mobile equipment, including commercial washing.

(4) To wash down outside areas such as streets, driveways, service station aprons, parking lots, office buildings, exterior of existing or newly constructed homes or apartments, sidewalks, or patios, or to use water for other similar purposes.

(5) To use water from public or private fire hydrants for any purpose other than fire suppression or other public emergency.

(6) To operate or induce water into any ornamental fountain, pool, or pond, or other structure for similar use of water.

(7) To serve drinking water in restaurant cafeterias, or other food establishments, except upon request.

(8) To operate water-cooled air conditioners or other equipment that does not recycle cooling water, except when health and safety are adversely affected.

(9) To use water for any unnecessary purpose or to intentionally waste water.

§ 52.34 STAGE III WATER SHORTAGE CONDITIONS; RESTRICTIONS.

(A) In the event a Stage II Water Shortage Condition exists and city raw water storage facilities drop to 40% or less of storage, then the City Manager may declare a Stage III Water Shortage. In exercising the authority for declaring a water shortage condition consideration shall be given to water storage levels and available sources of supply, available usable storage on hand, drawdown rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

(B) In the event the City Manager issues a declaration of Stage III Water Shortage Condition then it shall be unlawful for any person, firm, or corporation to use or permit the use of water from the city water system for any purpose hereinafter set forth until such time as the declaration of water shortage has been rescinded. In addition to the restrictions for Stage I and Stage II Water Shortage Conditions, the following restrictions shall also apply:

(1) To fill or add any water into any pool.

(2) Use water outside a structure for any use other than an emergency involving a fire.

(3) Fire protection to be maintained by the drafting of ponds, rivers, and the like, wherever possible.

(4) The use of throw-away utensils and plates is encouraged and recommended at all eating establishments.

(5) To operate an evaporative air conditioner which recycles water except during operating hours of business.

§ 52.35 LIFTING OF WATER SHORTAGE RESTRICTIONS.

(A) Water shortage conditions will expire when the City Manager, after consultation with the City Council and upon recommendation of the Water Superintendent, deems that the condition which caused the alert was abated.

(B) The expiration or cancellation of a water shortage declaration shall be promptly and extensively publicized.

§ 52.36 PENALTIES AND DISCONNECTION FOR NONCOMPLIANCE.

Any person who violates any provision of this subchapter shall be subject to the following civil penalties:

(A) Any residential water customer who violates any provisions of this subchapter shall be subject to civil penalties. Civil penalties for a residential violation of Stage II or III mandatory restrictions shall be as follows:

- (1) A written warning for the first offense.
- (2) A civil penalty in the amount of \$100 for the second offense.
- (3) A civil penalty in the amount of \$200 for the third offense.
- (4) Disconnection of service for the fourth and successive offenses.

(B) Any nonresidential water customer who violates any provision of this subchapter shall be subject to civil penalties double in amount to the above penalties.

(C) Violations shall be accumulated by all persons so long as the restrictions contained in this subchapter, in any of its stages, are continuously in effect, and until no stage of this subchapter has been in effect for a period of one calendar year.

(1) Violations of any of the mandatory restrictions of any stage shall accumulate with violations of other stages.

(2) Should a person move, or cease and renew service during the period described herein, the person's violations shall continue to accumulate as if such move or cessation had not occurred.

(D) Each day's continuing violation shall be a separate and distinct criminal and civil offense. Each violation of the subchapter shall be a separate offense even if occurring on the same day.

(E) Notwithstanding the above penalty structure, pursuant to the provisions of G.S. § 162A-88, service may be temporarily discontinued for willful disregard of this subchapter, and fees may be imposed before restoration of service.

(1) For non-potable uses, this disconnection may be without prior notice.

(2) In the event of such discontinuation, the meter may be removed and all tap fees and deposits forfeited.

(3) Reconnection will only be made by payment of current due amounts, penalties as set forth above, and new tap fees.

(4) It shall be unlawful for customers to reconnect water service discontinued for noncompliance.

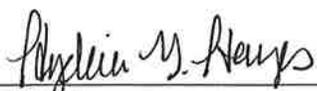
(a) Any customer reconnecting such services shall be guilty of meter tampering.

(b) A fine of \$500 will be assessed for such violation.

Adopted by City Council this 14th Day of May, 2018


Becky S. Smith, Mayor




Hydeia Y. Hayes, City Clerk

2. Authority

The City of Bessemer City, City Manager is the only individual with the authority to implement water shortage response actions, after consultation with the City of Bessemer City, City Council.

Name: James Inman

Position Title: City Manager

Contact: 704-833-0360 or email at jinman@bessemercity.com

In the event the City Manager listed above is absent for any reason and would be unable to implement water shortage response actions, then this responsibility would become that of the Assistant City Manager, after consultation with The City of Bessemer City, City Council.

Name: Jamie Ramsey

Position Title: Assistant City Manager

Contact: 704-833-0381 or email at jramsey@bessemercity.com

3. Notification

The City Manager, along with assistance from the City Clerk and the Assistant City Manager will develop a press release to notify the public about water shortages by means of newspaper, radio and television, keeping the public informed of any changes in shortage situations and conservation measures.

When distributing information to the public, we will provide concise, accurate and most current information available. When preparing press releases we will use clear language that can be understood by the general public. We will have the most recent available facts and figures before contacting any part of the media.

A memo will also be published by the City Manager or Assistant City Manager informing all City employees of the current water shortage and current stage of restrictions being implemented.

4. Water Use Classifications

A. **Essential Water Use** (Class 1)

Domestic Use: Water necessary to sustain human life and lives of domestic pets; and to maintain minimum standards of hygiene and sanitation.

Public Use: Firefighting and flushing of sewers and hydrants as needed to ensure public health and safety.

B. Socially or Economically Important Uses (Class 2)

Domestic Use: Home water use including kitchen, bathroom and laundry use. Minimal watering of vegetable gardens and watering of trees where necessary to preserve them.

Commercial, Agricultural, Industrial, and Institutional Uses: Outdoor commercial watering (public or private). Industrial process water use.

Irrigation: Watering by commercial nurseries and use of fresh water to establish vegetation following earth moving and/or landscaping.

C. Non-Essential Uses (Class 3)

Ornamental Purposes: Fountains, reflecting pools and artificial wells. Outdoor non-commercial watering (public or private). Gardens, lawns, parks, playing fields and other recreational areas. Filling and operation of recreational pools (residential-which serve fewer than 25 dwellings). Non-commercial washing of vehicles. Serving water in restaurants (except by request). And air conditioning.

5. Levels of Response

A. Stage I Voluntary Conservation

Voluntary conservation shall be placed into effect when conditions indicate the potential for water supply shortage. **(See trigger for Stage I)**

- **Voluntary Conservation Stage**
 - Issue water shortage advisory
 - Request voluntary conservation for all water use
 - Keep public informed

B. Stage II Mandatory Restrictions

Mandatory restrictions shall be placed into effect when water supplies are significantly lower than the seasonal normal and drought conditions are expected to persist. **(See trigger for Stage II)**

- **Mandatory Restriction Stage II**
 - Issue 2nd water shortage alert
 - Restrict or ban all class 3 (non-essential) uses
 - Restrict class 2 (socially and economically important) water use
 - Monitor compliance with ban on use and enforce when necessary
 - Keep public informed

C. Stage III Mandatory with Increased Restrictions

Mandatory with increased restrictions shall be placed into effect when water supplies are lower than Stage II normal and the drought conditions are persisting with no appreciable rainfall. **(See trigger for Stage III)**

- **Mandatory with increased restrictions Stage III**
 - Issue water shortage stage III declaration
 - If not done in stage II, ban all class 3 (non-essential) water uses
 - Ban or restrict class 2 (socially and economically important) water uses
 - Request additional conservation from class 1 (essential) users
 - Monitor all drought activities, especially compliance
 - Consider enacting advanced restriction pricing with fines for overuse
 - Keep public informed

In responding to water shortages the following are actions that will be taken:

1. Locate and repair all leaks
2. Explore possibilities for supplementing water supplies
3. Consider changing water rate structure to discourage unnecessary use
4. Direct community to conserve water according to the severity of the shortage (as per ordinance)
5. Monitor water supply conditions and effectiveness of conservation measures

Monitoring supply and demand is the basis for making timely and appropriate responses to water shortages.

6. Triggers

When to Implement Stage I Voluntary Restrictions

Voluntary conservation shall be implemented when condition indicates the potential for water supply shortages by the following:

Streams: When extended dry conditions result in persistently low flows (below seasonal normals) and continued dry conditions are being forecasted.

Reservoirs: When less than 80% of the usable water supply storage is remaining.

When to implement Stage II Mandatory Restriction

Mandatory restrictions shall be implemented when water supplies are significantly lower than the seasonal normal and drought conditions are expected to persist and the following conditions apply:

Streams: Demand conditions are exceeding 50% of the estimated stream flow above the intake that is available for supply.

Reservoirs: Less than 60% of the usable water supply storage is remaining.

When to implement Stage III Mandatory (Increased) Restrictions

Increased mandatory restrictions shall be implemented when experiencing an extreme water shortage and the following conditions apply:

Streams: Demand exceeds 75% of the estimated stream flow above intake that is available for supply.

Reservoirs: Less than 40% of the usable water storage is remaining.

7. Return to Normal

When water shortage conditions have abated and supply situations have returned to normal including stream flows and reservoirs, the conservation measures previously implemented will be decreased, in reverse order of implementation, as conditions dictate and public shall be notified.

8. Enforcement

Monitoring for compliance with mandatory restrictions will be accomplished by the following:

- Public Works Department employees (meter readers)
- Public Works Departments employees
- Water Treatment Plant employees
- Natural Gas Department employees
- Code Enforcement
- Police Department patrols
- Community Complaints

Enforcement will be carried out by the Code Enforcement division of the Police Department. Enforcement procedures will be carried out in accordance with the City Ordinance.

9. Public Comment

The water shortage response plan will be advertised as available for public review in the office of the City Manager, City Clerk, Front Office, Office of the Public Utilities Director.

10. Variances

The City Manager, or Assistant City Manager in the absence of the City Manager, shall have the authority to issue variances to the water use restrictions and these variances will be considered on a case by case basis.

Variances will only be considered for extreme economical hardships where proof is provided that the restrictions are the sole cause.

Variances will also be considered for Health and/or Medically necessary reasons.

Criteria to be used to decide if a variance will be granted are as follows:

- What impact will it have on system demand?
- How long will variance be needed?
- Is there existence of alternative sources?
- Economic Importance.
- Will it prevent structural damage?
- What will results be if a variance is not granted?

Request for variances shall be submitted in writing to the office of the Bessemer City, City Manager at 132 W. Virginia Avenue, Bessemer City, N.C. 28016

11. Evaluation of Effectiveness

The effectiveness of the restrictions in this plan will be evaluated by review of daily water production rates and reservoir levels data. This data will be tracked and compared to pre-water shortage conditions to determine if restriction levels are achieving the necessary usage reductions. If restrictions are not meeting the necessary water use reductions, then additional measures shall be taken at the time and the City Ordinance shall be reviewed for possible modifications.

12. Revisions

After each activation of this response plan the Assistant City Manager and staff shall review the outcome of the desired reduction levels and note whether or not the plan was effective. If the plan

was effective at achieving desired levels of reduction then no revisions will be made. If the plan does not achieve desired levels then the Assistant City Manger and his staff shall make the necessary revisions to the plan and submit to City Manager for approval and City Council for adoption.

The plan shall also be reviewed every five years to adapt to any new circumstances (e.g. new water sources, changes to authority positions, etc.). The plan shall then be submitted to City Manager for review and then to City Council for adoption of any changes made.