**AN ORDINANCE PROVIDING FOR THE YEAR-ROUND**

**CONSERVATION OF WATER AND FOR TEMPORARY**

**RESTRICTIONS DURING WATER SHORTAGES AND**

**EMERGENCIES**

**Section I. Authorization**

The Richmond County Manager shall enact the following water shortage response provisions

whenever the trigger conditions outlined in Section VI are met. In his or her absence, the

Public Works Director will assume this role.

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County Manager Public Works Director

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**Section II. Purpose**

The purpose of this water shortage response ordinance is to provide for the declaration of

increasingly serious stages of water shortages and to define voluntary and mandatory water

conservation measures to be implemented during these various stages. The intention is to

preserve the water resources of Richmond County so that water demands for human consumption,

sanitation, and fire protection of its customers can be met throughout the service area of

Richmond County.

This ordinance shall apply to all users connected directly or indirectly to the Richmond County

Water System, regardless of where the user is located.

This ordinance is enacted to support the following primary water conservation and demand

management goals.

**Section III. Proclamation of Water Shortage or Water Supply Emergency**

After the County Manager has determined through consultation with the Water Treatment

Plant Superintendent and the Public Works Director, that a water shortage or water

supply emergency as determined in Section IV exists, the County Manager is authorized to

issue a public proclamation declaring to all persons the existence of such state and the

severity thereof, and to place in effect the restrictive provisions hereinafter authorized. In his or her absence, the Public Works Director will assume this role.

The following notification methods will be used to inform water system customers of a water shortage declaration: the County Manager will notify employees, place notices at all county buildings, put notices on the water bills and place a notice on the Richmond County Government website [www.richmondnc.com](http://www.richmondnc.com).

Required water shortage response measures will be communicated through the local newspaper the Daily Journal and public service announcements will be sent out to all four local radio stations located in Richmond County.

The local cable channels will also run announcements on the government channel.

Declaration of emergency water restrictions or water rationing will be communicated to all

water customers by telephone use of reverse 911.

**Section IV. Determination of Water Shortage or Emergency**

The Water Treatment Plant Superintendent, the Public Works Director, and the

County Manager will determine the severity of water supply shortage and the various stages

of water shortages and subsequent restrictions.

A water shortage or water emergency shall be deemed to exist when the Richmond County

Water System cannot supply its customers with sufficient water to protect the public health

and safety without substantial reductions in water demand.

**Section V. Levels of Response**

**Voluntary Conservation**

1. All Richmond County water customers are encouraged to exercise voluntary water

conservation practices (some ideas listed below) at all times during the year, regardless of

water shortage or emergency conditions. The Richmond County Water System shall

periodically provide informational guidelines and conservation tips to its customers.

Brochures containing conservation information are available at the Water Billing

Department.

a) Check for leaks: faucets, toilets, and outdoor spigots

b) Take short showers.

c) Cut water off while brushing teeth and/or shaving.

d) Install a low-flow showerhead and aerators on bathroom and kitchen faucets.

e) Run dishwashers and washing machines only when they are full.

f) Water lawns only in the early mornings or late evenings.

g) Use a broom instead of a hose to clean driveways, walks and patios.

h) Wash cars less often.

i) Keep grass at least two inches high to shade roots and hold moisture.

2. All newly installed or substantially improved irrigation systems that are equipped with

automatic timers and which directly or indirectly use Richmond County Water shall be

equipped with automatic rain and soil moisture sensors that are activated to prevent the

operation of those irrigation systems while rain is falling or soil moisture is adequate.

**Mandatory Conservation during Stage I Water Shortage**

A Stage I shortage shall exist when, as indicated in Section IV, the County Water System

cannot supply the demand generated by its direct and indirect customers.

During a Stage I Water Shortage, it shall be unlawful to use water from a public water system

supplied by Richmond County for the following purposes:

1. To water lawns, grass, shrubbery, trees, flower and vegetable gardens except as follows:

a) Irrigation with Richmond County supplied water applied through any system or

device other than a watering can shall be allowed only on Wednesday and

Sunday (two days out of each week). A total of no more than one inch of water

(as measured in a shallow container, such as an empty tuna fish can or rain

gauge) should be applied during any given week.

b) The restrictions of this section shall not apply to any persons regularly engaged

in the sale of plants, who shall be allowed to irrigate their commercial stock in

trade.

2. To wash automobiles, trucks, trailers, boats, airplanes, or any other type of mobile

equipment other than on Saturday (one day out of each week). Any person regularly

engaged in the business of washing motor vehicles and any commercial car wash facility

shall be permitted to use water for such purposes until they have reached their maximum

average monthly usage. Meters on such businesses will be disconnected once maximum

average monthly usage has been reached.

3. To wash down outside areas such as streets, driveways, service station aprons, parking

lots, office buildings, exteriors of existing or newly constructed homes or apartments,

sidewalks, or patios, or to use water for other similar purposes. Provided however, that

any person regularly in the business of washing such areas shall be permitted to use water

for such purposes.

4. To use water from public or private fire hydrants for any purpose other than fire

suppression or other public emergency or water department needs. This does not apply to

certified well drillers complying with 15A NCAN 2C. However, advance notice must be

given to the Water Billing Department.

5. To use water for dust control or compaction.

6. To intentionally waste treated water.

**Mandatory Conservation during Stage II Water Shortage**

A Stage II Water Shortage shall exist when the Stage I restrictions have not decreased demand

enough to provide adequate water supply to Richmond County.

During a Stage II Water Shortage all the mandatory provisions of a Stage I Water Shortage, as

described in Section V, shall remain in effect, including the following:

1. Irrigation of lawns, gardens, trees, or shrubs with Richmond County supplied water

applied through any system or device other than a watering can shall be allowed only one

day (Sunday) out of each week. A total of no more than one half inch of water (as

measured in a shallow container, such as an empty tuna fish can) should be applied

during any given week.

2. There shall be no introduction of water into any ornamental fountain, pool, or pond or

other structure making similar use of water.

3. Washing of automobiles is strictly prohibited. Any person regularly engaged in the

business of washing motor vehicles and any commercial car wash facility shall be

permitted to use water for such purposes until they have reached their maximum average

monthly usage. Meters on such businesses will be disconnected once maximum average

monthly usage has been reached.

**Emergency Conservation**

A Stage III Water Shortage shall exist when the Stage I and II restrictions have not decreased

demand enough to provide adequate water supply to Richmond County.

During a Stage III Water Shortage all the mandatory provisions of both Stage I and II Water

Shortage's, as described in Section V, shall remain in effect, including the following:

1. No Richmond County supplied water shall be used for any outdoor purposes other than

emergency fire suppression.

2. Water service may be discontinued or reduced, as determined by the Richmond County

Water Treatment Plant Superintendent, the Public Works Director, and the County Manager in

designated portions of the Richmond County service area through the manipulation of

valves, pumps, and other appurtenances in order to preserve the availability of water for

public health and safety facilities, such as hospitals, medical clinics, etc., fire protection,

and other critical community needs.

3. Any customers that use Richmond County water for heating/cooling systems shall reduce

the heating/cooling demand in all but the most essential facilities to the extent allowable

with regard to indoor air quality standards and employee health and safety requirements.

**Section VI. TRIGGERS**

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| **SYSTEM SUPPLY TYPE** | **VOLUNTARY LEVEL** | **MANDATORY LEVEL** | **EMERGENCY LEVEL** |
| **RESERVOIR** (Monitor lake levels daily During a water shortage situation.) | • Average daily use of 80% of production capacity for 3 consecutive days.• Reservoir level less than 94ft as reported by energy company managing lake operation for more than 24hrs. | • Average daily use of 85% of production capacity for 3 consecutive days.• Reservoir level less than 90ft as reported by energy company managing lake operation for more than 24hrs. | • Average daily use of 90% of production capacity on any day.• Reservoir level less than 85ft as reported by energy company managing lake operation for more than 24hrs. |

**Section VII. Enforcement**

1. Criminal Penalties

Any person violating this Ordinance or any order or public proclamation issued pursuant

to this Ordinance shall be guilty of a misdemeanor punishable by a fine up to $500 or

imprisonment, pursuant to G.S. 14-4. Each day’s violation shall be a separate and

distinct offense. A violation begins from the date of the first written notification by the

Public Works Director or the County Manager.

1. Civil Penalties

Any person violating this Ordinance or any order or public proclamation issued pursuant to this Ordinance may be subject to a civil penalty up to $100, in the discretion of the Public Works Director or the County Manager, which civil penalty may be recovered by the County in a civil action in the nature of a debt if the penalty is not paid within 30 days after citation for such violation.

1. Equitable Remedies

The county shall be entitled to enforce this Ordinance or any order or proclamation issued

pursuant to this ordinance by any equitable remedies that can be issued by the General

Court of Justice. It shall not be a defense to the County’s plea for equitable remedies that

there is an adequate remedy at law.

1. Cumulative Remedies

The remedies here under are cumulative, and the County shall not be restricted to one or

the other in its efforts to obtain enforcement of the Ordinance.

**Section VIII. Severability**

If any section, subdivision, clause, or provision of this Article shall be adjudged invalid, such

adjudication shall apply only to such section, subdivision, clause, or provision so adjudged, and

the remainder of this article shall remain fully valid and effective.

**Section IX. Exceptions**

Exceptions to this ordinance shall apply to only those customers that own or have access to water

from a well, pond. Or other alternative water supply and are using it.

**Section X. Public Comment**

Customers will have opportunities to comment on the provisions of the water shortage response

plan. First, a draft plan will be published in the Daily Journal. A public hearing will be

scheduled with notice printed in the Daily Journal to collect comments on the draft. All

subsequent revisions to the draft will be published thirty (30) days prior to an adoption vote by

Richmond County’s Board of Commissioners.

**Section XI. Variance Protocols**

Applications for water use variance requests are available from the Richmond County Water

Billing & Collections Office. All applications must be submitted to the Water Department for review by the Public Works Director or his or her designee. A decision to approve or deny individual variance requests will be determined within two (2) weeks of submittal after careful consideration of the following criteria: impact on water demand, expected duration, alternative source options, social and economic importance, purpose (i.e. necessary use of drinking water) and the prevention of structural damage.

**XII. Effectiveness**

The effectiveness of the Richmond County water response plan will be determined by comparing

the stated water conservation goals with observed water use reduction data. Other factors to be

considered include frequency of plan activation, any problem periods without activation, and total

number of violation citations, desired reductions attained and evaluation of demand reductions

compared to the previous year’s seasonal data.

**XIII. Revision**

The water shortage response plan will be reviewed and revised as needed to adapt to new

circumstances affecting water supply and demand, following implementation of emergency restrictions, and at a minimum of every five (5) years in conjunction with the updating of our Local Water Supply Plan. Further, a water shortage response planning work group will review procedures following each emergency or rationing stage to recommend any necessary improvements to the plan to the Richmond County Board of Commissioners. The Richmond County Public Works Director is responsible for initiating all subsequent revisions. This ordinance shall be in full force and effect from and after Xxxx XX, 2023.

Richmond County