

# **TOWN OF PRINCETON WATER CONSERVATION ORDINANCE**

## **SECTION I. Purpose**

The purpose of this ordinance is to declare the official phase of a water supply shortage and to provide for the implementation of voluntary and mandatory water conservation measures throughout the service area of the Town of Princeton. The service area includes all connections served or supplied by the Town of Princeton. Because the Town of Princeton is provided water supply solely by purchase from Johnston County, then the Town of Princeton shall adhere to the conservation measures currently in effect with Johnston County, at a minimum; however, this ordinance will work in conjunction with that of Johnston County to ensure efficient and effective water conservation.

## **SECTION II. Definitions**

1. “Water Shortage Advisory” shall mean the conditions exist which indicate the potential for water shortages.
2. “Alert” shall mean:
  - a. The raw water supply (streamflow) is consistently below seasonal averages. If the raw water supply continues to decline, the supply may not be adequate to meet normal needs; or
  - b. Due to mechanical failure or limitations of the water treatment facilities (capacities), adequate water supplies cannot be maintained and the conditions may be sufficient to cause a water shortage.
3. “Crisis” shall mean:
  - a. the raw water level is below the level necessary to meet normal needs; or
  - b. Due to mechanical failure or limitation of the water treatment facilities (capacities), a water shortage is subject to occur.
4. “Customer” shall mean any person or entity using water for any purpose from the Town of Princeton and for which a regular charge is made.
5. “Emergency” shall mean:
  - a. the raw water supply is below the level necessary to meet normal needs and serious water shortages exist; or
  - b. Due to mechanical failure or limitation of water treatment facilities (capacities), a prolonged water shortage is subject to occur.
6. “JCDPU” is the Johnston County Department of Public Utilities.

7. “Waster of Water” shall mean, but is not limited to, the failure to repair a controllable leak of water due to defective plumbing.
8. “Water” shall mean water available to the Town of Princeton service area through JCDPU.
9. “Water Use Class” shall mean and be established as follows:

Class 1: Essential Water Uses

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

Health Care Facilities: Patient care and rehabilitation.

Public Use: Fire Fighting, Health and public protection purposes, if specifically approved by health officials and/or the governing bodies of the health officials.

Class 2: Socially or Economically Important Uses of Water

Domestic Use: All other uses other than those included in Class 1 and 3. Home water use including kitchen, bathroom and laundry use.

Outdoor Non-Commercial Water (public or private):

Agricultural irrigation for the production of food and fiber or maintenance of livestock.

Water by commercial nurseries at a minimum level necessary to maintain stock, to the extent that sources other than the Town of Princeton are not available or feasible to use.

Watering of golf course greens.

Uses of water at a minimum rate necessary to implement revegetation following earthmoving, where such vegetation is required by an erosion and sedimentation control plan adopted pursuant to law or regulation to the extent water sources other than the Town of Princeton are not available or feasible to use.

Water use by public gardens of national, state, or regional significance where necessary to preserve specimens, to the extent water sources other than the Town of Princeton are not available or feasible to use.

Operating and filling swimming pools:

Municipal pools  
Health care facility pools used for patient care and rehabilitation

Washing of Motor Vehicles:

Commercial car and truck washes, unrestricted hours of operation

Commercial Laundromats:

Unrestricted hours of operation

Restaurants, Clubs, and Eating Establishments

Unrestricted hours of operation

Class 3: Non-Essential Uses of Water

Ornamental Purposes: Fountains, reflecting pools, and artificial waterfalls

Outdoor Non-Commercial Watering (public or private): Gardens, lawns, golf courses, park playing fields, and other recreational areas.

EXCEPTIONS:

Agricultural irrigation for the production of food and fiber or maintenance of livestock.

Water used by commercial nurseries at a minimum level necessary to maintain stock, to the extent water sources other than the Town of Princeton are not available or feasible to use.

Use of water at a minimum necessary to implement revegetation following earthmoving, where such vegetation is required pursuant to an erosion and sedimentation control plan adopted pursuant to law or regulation to the extent water sources other than the Town of Princeton are not available or feasible to use.

Water use by public gardens of national, state or regional significance where necessary to preserve specimens, to the extent water sources other than the Town of Princeton are not available or feasible to use.

Operating and filling swimming pools:

EXCEPTIONS:

Health care facility pools used for patient care and rehabilitation  
Municipal pools

Washing of motor vehicles: automobiles, trucks, boats and trailers

EXCEPTIONS:

Commercial car and truck washes

Serving water in restaurants, clubs, and eating establishments

EXCEPTIONS:

Specific request by customer

Fire Hydrants: Any purpose including the use of sprinkler caps, testing of equipment, and fire department drills.

EXCEPTIONS:

Fire fighting  
Health protection purposes  
Testing and drills by fire departments, if in the interest of public safety and the Town of Princeton.

Hydrant and Sanitary Sewer Flushing

EXCEPTIONS

As needed to ensure public safety

### SECTION III. DECLARATION OF A WATER SHORTAGE ADVISORY

In the event JCDPU determines a potential shortage of water supply is indicated, such that adequate potable water supplies cannot be maintained, whether the shortage is caused by drought, mechanical failure, or limitations of the water treatment facilities, the Town of Princeton shall be empowered to declare a "Water Shortage Advisory." The Director of JCDPU shall monitor the supply and demands on the system on a daily basis. The Town Administrator shall call upon all customers of the Town of Princeton to employ voluntary water conservation measures to limit water use (especially Class 3 uses) and to eliminate waste of water. The "Declaration of a Water Shortage Advisory and Statement" by the Town Administrator shall be published in a newspaper of general circulation in Johnston County, or may be publicized by any other appropriate method.

#### SECTION IV. DECLARATION OF A WATER SHORTAGE ALERT

The Town of Princeton shall be empowered to declare a “Water Shortage Alert:”

1. In the event JCDPU determines the raw water supply is below the level necessary to meet normal demands;
2. And if the supply continues to decline such that there may not be sufficient water supply to meet normal demands; and/or
3. There are water treatment facility limitations which cannot provide adequate supplies of potable water

The Town of Princeton shall continue to encourage voluntary water conservation measures as defined in the “Advisory” declaration.

The Princeton Town Administrator shall enact the following water shortage response provisions whenever the trigger conditions outline in Section IV are met. In her absence, the Public Works Superintendent will assume this role.

Marla H. Ashworth  
Town Administrator  
Phone: (919) 936-8171  
Email: m.ashworth@myprincetonnc.com

M. Chad Thompson  
Public Works Superintendent  
Phone: (919) 915-0693  
Email: c.thompson@myprincetonnc.com

#### SECTION V. DECLARATION OF A WATER SHORTAGE EMERGENCY

In the event JCDPU determines the raw water supply is below the level necessary to meet normal demands and serious shortages exist and/or there are water treatment facility limitations that cannot provide adequate supplies of potable water, the Town Administrator shall be empowered to declare a “Water Shortage Emergency.” Class 1 essential uses may be targeted for voluntary conservation initiatives. Class 2 socially and economically important uses shall be banned in addition to Class 3 non-essential uses. These restrictions shall be enforced until the emergency is declared ended by the JCDPU.

#### SECTION VI. NOTIFICATION

The following notification methods will be used to inform water system employees and customers of a water shortage declaration: employee email announcements, notices at municipal buildings, notices in water bills and on the Town of Princeton website homepage. Required water shortage response measures will be communicated through the *Johnstonian News*, PSA announcements on local radio and cable stations, and on the Town of Princeton website. Declaration of emergency water restrictions or water rationing will be communicated to all customers by telephone through use of reverse 911.

**SECTION VII. LEVELS OF RESPONSE**

Five levels of water shortage response are outlined in the table below. The five levels of water shortage response are voluntary reductions, mandatory reductions I, mandatory reductions II, emergency reductions and water rationing. A detailed description of each response level and corresponding water reduction measures follow below:

<b>Stage</b>	<b>Response</b>	<b>Description</b>
1	Voluntary Reductions	Water users are encouraged to reduce their water use and improve water use efficiency; however, no penalties apply for noncompliance. Water supply conditions indicate a potential for shortage.
2	Mandatory Reductions I	Water users must abide required water use reduction and efficiency measures; penalties apply for noncompliance. Water supply conditions are significantly lower than the seasonal norm and water shortage conditions are expected to persist.
3	Mandatory Reductions II	Same as in Stage 2
4	Emergency Reductions	Water supply conditions are substantially diminished and pose an imminent threat to human health or environmental integrity.
5	Water Rationing	Water supply conditions are substantially diminished and remaining supplies must be allocated to preserve human health and environmental integrity.

*In Stage 1, Voluntary Reductions*, all water users will be asked to reduce their normal water use by 5%. Customer education and outreach programs will encourage water conservation and efficiency measures including: irrigating landscapes a maximum of one inch per week; preventing water waste, runoff and watering impervious surfaces; watering plants deeply to encourage root growth; washing only full loads in clothes and dishwashers; using spring-loaded nozzles on garden hoses; and identifying and repairing all water leaks.

*In Stage 2, Mandatory Reductions I*, all customers are expected to reduce their water use by 10% in comparison to their previous month’s water bill. In addition to continuing to encourage all voluntary reduction actions, the following restrictions apply: irrigation is limited to a half inch per week between 8PM and 8AM; outdoor use of drinking water for washing impervious surfaces is prohibited; and all testing and training purposes requiring drinking water (e.g. fire protection) will be limited.

*In Stage 3, Mandatory Reductions II*, customers must continue actions from all previous stages and further reduce water use by 20% compared to their previous month's water bill. All non-essential uses of drinking water are banned and garden and landscape irrigation must be reduced to the minimum amount necessary for survival. Additionally, in Stage 3, a drought surcharge of 1.5 times the normal water rate applies.

*In Stage 4, Emergency Reductions*, customers must continue all actions from previous stages and further reduce their water use by 25% compared to their previous month's water bill. A ban on all use of drinking water except to protect public health and safety is implemented and drought surcharges increase to 2 times the normal water rate.

*The goal of Stage 5, Water Rationing*, is to provide drinking water to protect public health (e.g. residences, residential health care facilities and correctional facilities). In Stage 5, all customers are only permitted to use water at the minimum required for public health protection. Firefighting is the only allowable outdoor water use and pickup locations for distributing potable water will be announced according to Princeton's Emergency Response Plan. Drought surcharges increase to 5 times the normal water rate.

## SECTION VIII. MANDATORY WATER CONSERVATION

1. The Town Administrator is hereby authorized to impose mandatory water restrictions, as described below, on the usage of water obtained directly or indirectly from the water distribution system of the Town of Princeton by declaring a "Water Distribution Crisis." This declaration shall be based on written recommendations from the Director of JCDPU that conditions exist such that a water shortage is imminent.
2. The Town Administrator will implement a "Water Distribution Crisis" by signing a "Notice of Declared Water Distribution Crisis." The notice shall be in effect beginning with the date and time specified in the notice and the restrictions imposed shall apply during the times specified in the notice.
3. During a declared "Water Distribution Crisis" each of the following uses of water obtained directly or indirectly from the Town of Princeton water distribution system are prohibited:
  - a. Watering of any grass, lawn, shrubbery, flowers or other vegetation provided; however, any person or entity regularly engaged in the business of the sale of plants will be permitted, with approval from the Town of Princeton, to water plants grown for sale.
  - b. Filling, refilling, or otherwise adding water to any swimming pool.
  - c. Washing, rinsing, or cleaning any automobile, truck, van, motorcycle, or other motor vehicles or trailer, provided, however, that any person or entity engaged in business of washing vehicles will be permitted, with approval from the Town of Princeton, to continue this activity.
  - d. Washing, rinsing, or cleaning an exterior wall, floor or paved areas.

## 4. Declaration Procedures:

- a. The Town Administrator shall impose the restrictions in Paragraph 3 above at any time during such limited times as the Town Administrator and JCDPU determines to be appropriate. The restricted hours will be set forth in the “Notice of Water Distribution Crisis.”
- b. The Town Administrator may modify the times of restricted water use by signing an “Amended Notice of a Declaration of Water Distribution Crisis.”
- c. Restrictions on water use will be terminated when the Town Administrator signs a “Notice of Termination of a Declared Water Distribution Crisis.”
- d. All restrictions and/or terminated restrictions shall be posted in the Town Hall and/or other designated places required by law or the Princeton Town Board. All notices cannot be enforced or terminated for a period of twelve (12) hours after posting.
- e. All notices shall state the time and date of posting.

## SECTION IX. SHORTAGE WATER RATES

Upon the declaration of a water supply shortage as provided in Sections 3, 4, 5, and 6, the Town of Princeton shall have the authority to adopt shortage water rates designed to conserve water supplies. Such rates may provide for:

- a. Increasing block rate – higher charges per unit for increasing usage.
- b. Uniform Unit Rates – uniform charges for water usage per unit of use.
- c. Excess Demand Surcharge – charges for use in excess of a specific level.
- d. Good Citizen Rate – discounts for conserving water beyond specified levels.

## SECTION X. ENFORCEMENT

1. The direct or indirect use of water from the Town of Princeton distribution system in violation of this ordinance is prohibited. Any water customer of the Town of Princeton distribution system, direct or indirect, that violates or permits the violation of these Rules and Regulations shall be subject to the following penalties:

1 <sup>st</sup> Offense	\$100.00
2 <sup>nd</sup> Offense	\$200.00
3 <sup>rd</sup> and Subsequent Offenses	\$300.00

2. Each violation shall be added to the customer’s water bill and paid in the same manner as current payments due to the Town of Princeton.
3. Each day a violation occurs shall be considered a separate violation.
4. The Town Administrator or its designee shall be responsible for enforcing any restrictions imposed by this ordinance. If a violation is known to have occurred pursuant

to this ordinance, a written violation shall be affixed to the property where the violation occurred and mailed to the customer of record and any other person known to the Town of Princeton who is responsible for the violation and its correction. The written notice shall describe the violation and order immediate compliance with restrictions within a specified time as determined reasonable by the Town of Princeton considering the circumstances.

5. If a violation is not complied with, or if violation fees for previous violations are not paid, the Town of Princeton may restrict or terminate water service subject to the following procedures:
  - a. The Town of Princeton shall give the customer notice by mail or by a law enforcement officer that due to reoccurring violations or failure to pay for previous violations, the water service will be restricted or terminated within a specific time. The customer will have the opportunity to appeal restriction or termination by requesting a hearing before the Water and Sewer Commissioner. The request for the hearing shall be made before the cut-off date. A prompt conference with the Water and Sewer Commissioner will be held.
  - b. If customer charged with violation requests a hearing, the customer will have the opportunity to be heard before service is restricted or terminated.
  - c. The Water and Sewer Commissioner, after hearing evidence presented, shall order the water service continued, restricted, or terminated. The customer may appeal the order of the Water and Sewer Commissioner to the Town Board. The Town Board shall make findings of fact and overrule or sustain the ruling of the Water and Sewer Commissioner.
  - d. Any customer charged with the violation of this ordinance may appeal the finding of the Water and Sewer Commissioner or Town Board to the North Carolina Court System.
6. A fee of \$50.00 shall be paid for the reconnection of any water service restricted or terminated pursuant to Subsection 5 of Section VIII. In the event of multiple violations, the reconnection fee shall be \$100.00 for the second violation and \$150.00 for each additional violation.

## SECTION XI. PUBLIC HEARING

Water customers of the Town of Princeton distribution system, direct or indirect, may review this ordinance and provide comment at a scheduled Town Hall meeting. The meeting date and the ordinance will be published in the local newspaper. All comments and concerns shall be presented to the Board and addressed by the board during this meeting.

By adoption of this ordinance, the Town has met the requirements of public notice and comment specified by North Carolina General Statutes.

## SECTION XII. VARIANCE PROTOCOLS

Applications for water use variance requests are available from the Town of Princeton website and Town Hall. All applications must be submitted to the Town Hall for review by the Town Administrator or designee. A decision to approve or deny individual variance requests will be determined within two 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.

## SECTION XIII. TRIGGERS

The Town of Princeton provides water by purchase from JCDPU. The town purchases water monthly from JCDPU. If JCDPU declares a water shortage, Princeton will do so as well. In the event of an extended shortage of water, or the supply of water available to JCDPU is otherwise diminished over an extended period of time, the supply of water to the Town of Princeton shall be reduced or diminished in the same ratio or proportion as the supply to Johnston County's consumers is reduced or diminished. During this time, the Princeton Town Administrator and Public Works Superintendent will stay in close contact with JCDPU and follow their water Shortage Response Levels

### Return to Normal

When water shortage conditions have abated and the situation is returning to normal, water conservation measures employed during each phase should be decreased in reverse order of implementation. Permanent measures directed toward long-term monitoring and conservation should be implemented or continued so that the community will be in a better position to prevent shortages and respond to recurring water shortage conditions.

## SECTION XIV. EFFECTIVENESS

The effectiveness of the Princeton water shortage 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, total number of violations citations, desired reductions attained and evaluation of demand reductions compared to the previous year's seasonal data.

## SECTION XV. REVISIONS TO THIS ORDINANCE

This ordinance will be reviewed and revised as needed on an annual basis, and at a minimum of every five years. Should this ordinance need to be revised and/or expanded to meet the needs of the Town of Princeton a meeting will be held with the Town Board to approve changes. In the event that JCDPU makes a

change in their rules, regulations or practices this ordinance shall be reviewed and modified to meet those changes at the next subsequent Board meeting. The Town Administrator is responsible for reviewing the Plan.

SECTION XVI. EFFECTIVE DATE

This ordinance will become effective upon its adoption and all previously adopted ordinances are hereby repealed.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Donald B. Rains, Mayor

Attest:

\_\_\_\_\_  
April Williamson, Town Clerk

SEAL