**Water Shortage Response Plan Ordinance**

# Section 1. Authority to Implement

When conditions dictate, the Town of Ayden Assistant Town Manager, upon notification by the Town of Ayden Distribution and Collections Superintendent and under direction of the Town Manager shall implement a Water Shortage Response Plan. Conditions, which may require the Plan to be enacted, are outlined in Section 2.

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# Section 2. Factors Leading to the Implementation of the Water Shortage Response Plan

Several parameters will require the Town to begin the Response Plan. The primary one will be when Neuse Regional Water and Sewer Authority (NRWSA) declares a water shortage Ayden is required to do so as well. During this time Ayden’s Collection / Distribution Superintendent will keep in close contact with NRWSA and follow their triggers. Also including but may not be limited by a significant reduction in well water levels, a significant increase in the average pump run times for predetermined total flows at the wells, contaminants in the water system and/or water main breaks.

If the determining factors are related to well water levels or pump run times the phases will be enacted in the following order:

Phase I will be enacted if a 20% reduction in normal well water levels is noted or if pump run times increase 20% in order to maintain previous rates. Phase II will be enacted if a 40% reduction in normal well water levels is noted or if pump run times increase 40% in order to maintain previous rates. Phase III will be enacted if a 60% reduction in normal well water levels is noted or if pump run times increase 60% in order to maintain previous rates.

# Section 3. Water Use Classifications

In order to facilitate a fair and equitable Response Plan, every water use will be grouped into one of three classifications:

Class I – Essential Water Uses

These uses include but may not be limited to water use required to/for:

Sustain human life and the lives of domestic pets

Maintain minimum standards of hygiene and sanitation

Health care uses necessary for patient care and rehabilitation

Firefighting, including training and drills as approved by the Town of Ayden Manager

Class II- Socially or Economically Important Water Uses

 These uses include but may not be limited to water use required to/for: Preserve commercial vegetable gardens, fruit orchards, nursery stock and livestock maintenance

Outdoor commercial watering, public or private, using conservation measures

Establish vegetation, using minimal amounts, after construction/earth moving activities (only allowed in areas required by law or regulation) Filling and operation of municipal swimming pools and private pools that serve 25 or more residences

Operate commercial car washes, restaurants, laundromats, clubs, schools, churches, and similar commercial establishments

Class III – Non-Essential Water Uses

 These uses include but may not be limited to water use required to: Operate fountains, ornamental pools and recreational swimming pools that serve fewer than 25 residences

Non-commercially wash motor vehicles, sidewalks, etc.

Non-commercially water gardens, lawns, parks, playing fields and recreational areas

# Section 4. Phased Response\Reduction Goals

When the Water Shortage Response Plan is implemented, it may be in a phased process as outlined below:

Phase I – Voluntary Conservation

This phase will be enacted when it is determined that one or more of the parameters outlined in Section 2 is met. If this occurs, the consumers will be notified promptly by any or all of the following; mailers, door hangers, postings on the Town of Ayden’s internet site ([www.Ayden.com](http://www.ayden.com/)), local news media, public postings at the Town Hall, Post Office, etc. The public will be asked to begin voluntary conservation measures. Specific conservation methods will be made available to the public by the above listed notification avenues.

If the determining parameter(s) return to seasonal norms, the measures will be lifted. However, failure of the determining parameter(s) to return to a state of seasonal normalcy may require the initiation of Phase II.

During Phase I, industrial facilities will be required to submit to the Town of Ayden’s Collection / Distribution Superintendent, a water shortage response program. This program should include methods that will allow the facilities to reduce their water usage by 25%.

Phase II – Mandatory

This phase will begin when the Town issues a water shortage advisory. The consumers will be notified by one or all of the methods noted in Phase I. All users will be required to adhere to the voluntary conservation measures as noted in Phase 1. Class III uses will be banned.

Class II uses will be allowed although outdoor vegetative watering will be limited according to the resident's street address. Even numbered addresses will be allowed to water on even days of the month. Odd numbered addresses will be allowed to water on odd days of the month. Allowable times for watering will be limited to the hours between 7:00 p.m. and 8:00 a.m...

Failure to adhere to required conditions will result in a written notice of violation for the first offense and/or a $50 fine. Thereafter, the Town may impose a fine of $50 per violation for the second and third offense. A fourth offense will result in a $250 fine. Further offenses may require the offending party to have his/her water service disrupted.

During Phase II industrial users will be required to evaluate their Water Shortage Response Plan with the Town’s Collection / Distribution Superintendent as it relates to their 25% water reduction goal.

If Phase II enaction fails to alleviate the water shortage, the Town will enter into the third and final phase.

Phase III – Emergency

This phase will commence with the issuance of a water shortage emergency declaration from the Town Manager. Users will be notified by any or all of the methods noted in Phase I. All users will be required to use voluntary conservation measures outlined in Phase 1. Class III uses will be banned and Class II uses will be allowed although commercial vegetative watering (i.e., nurseries, livestock, etc.) may be further reduced.

Industrial users will be required to implement their water reduction program immediately.

Failure to comply with mandates during Phase III will require the offending party to pay a $100 fine for the first offense, a $350 fine for the second offense and the disruption of water service for the third offense.

In addition, residential users will be allotted 1000 gallons per month per bedroom per structure. If the user uses 1001-1250 gallons per month per bedroom a surcharge of 25% will be added to the monthly water bill. If the user consumes 1251-1500 gallons per month per bedroom a surcharge of 75% will be added to the monthly water bill. If the user consumes any amount in excess of 1501 gallons per month per bedroom a surcharge of 150% will be added to the monthly water bill.

Commercial, industrial and institutional facilities will be required to reduce their monthly water consumption by 25% of the previous 12-month water consumption average to maintain the current water rate for that month. The average water use can be evaluated on an individual basis for facilities with seasonal water demand fluctuations. A 10-24% water use reduction from the previous 12-month water use average will require the Town to impose a 25% surcharge on the monthly water bill. A 0-9% water use reduction from the previous 12-month water use average will require the Town to impose a 50% surcharge on the monthly water bill. An increase of 1-25% above the previous 12-month water use average will result in a surcharge of 100% on the monthly water bill. Any amount used above 25% of the previous 12-month average water use will require a monthly water bill surcharge of 150%.

# Section 5. Enforcement

Enforcement of mandatory conservation and associated fines will be the responsibility of the Assistant Town Manager under direction of the Town Manager.

# Section 6. Variances

Applications for water use variance requests are available from the Town

Public Works Office. All applications must be submitted to the Public Works Office for review by the Assistant Town Manager or his or her 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 7. Public Comment

Customers will have multiple opportunities to comment on the provisions of the water shortage response plan. First, a draft plan will be published on the Town of Ayden website. A public hearing will be scheduled with notice printed in all customer water bills to collect comments on the draft. All subsequent revisions to the draft plan will be published at least 30 days prior to an adoption vote by Ayden’s Town Council.

# Section 8. Effectiveness

The effectiveness of the Ayden 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 violation citations, desired reductions attained and evaluation of demand reductions compared to the previous year’s seasonal data.

As the determining parameter(s) decrease in severity and return to acceptable levels (seasonal norms), the Town Manager will lift the Water Shortage Response Plan.

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 9. 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 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 Ayden’s Town Council. The Town of Ayden Collection / Distribution Superintendent is responsible for initiating all subsequent revisions.