

**TOWN OF ELIZABETHTOWN**  
**WATER SHORTAGE RESPONSE PLAN ORDINANCE**  
May 2, 2023  
PWS ID 0309010

This water shortage plan is written to reduce potable water demand and supplement existing drinking water whenever they are in danger of being inadequate to meet customer needs.

### **Section 1. Authority to Implement**

When conditions dictate, the Town of Elizabethtown Manager is authorized to enact water shortage response provisions (WSRP). In his or her absence, the Public Works Director will assume this role. Conditions, which may require the WSRP to be enacted, are outlined in Section 3.

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### **Section 2. Notification**

The following notification methods will be used to inform water system employees and customers of a water shortage declaration: employee e-mail announcements, notices at municipal buildings, notices in water bills and on the Town of Elizabethtown website homepage. Required water shortage response measures will be communicated through the local newspaper and by PSA on local radio and cable stations.

### **Section 3. Water Use Classification**

In order to facilitate a fair and equitable WSRP, 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's Mayor

#### **Class II – Socially or Economically Important Water Uses**

These 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
- Establishing vegetation, after construction/earth moving activities
- Filling and operation of municipal or private swimming pools provided that these swimming pools serve 25 or more residents.
- Operation of commercial car washes, restaurants, laundromats, clubs, schools, churches and other similar establishments.

### **Section 3. Water Use Classification (cont.)**

#### **Class III – Non-Essential Water Uses**

These uses include but may not be limited to:

- Operation of water fountains, ornamental pools and recreational swimming pools that serve fewer than 25 persons
- Non-commercial washing of motor vehicles, sidewalks, houses, etc.
- Non-commercial watering of gardens, lawns, parks, playing fields and other recreational areas.

### **Section 4. Factors Requiring Implementation of the Water Shortage Response Plan**

Several parameters or conditions may require the Town of Elizabethtown to begin the WSRP. These include but may not be limited to significant reductions in well water levels, a significant increase in pump run times for the predetermined total flow at the well(s), contaminants in the water system, act of terrorism, vandalism, mainline breaks and natural disasters.

If the factors listed above reduce well water levels or pump run times or by any event or combination of events prevent the water system from delivering water, WSRP phases will be enacted in the following order:

- Phase I will be enacted if a 20% reduction in seasonal/normal well water levels is noted or if pump run times increase 20% in order to maintain previous rate output or any other event which causes a 20% reduction in the water system's capacity.
- Phase II will be enacted if a 40% reduction in seasonal/normal well water levels is noted or if pump run times increase 40% in order to maintain previous rate output or any other event which causes a 40% reduction in the system's capacity.
- 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 rate output or any other event which causes a 60% reduction in the system's capacity.

### **Section 5. Phased WSRP and Water Use Reduction Goals**

When the WSRP is implemented, the below phased approach will be followed:

#### **Phase I – Voluntary Conservation**

- This phase will be enacted when it is determined that one or more of the parameters outlined in Section 4 is met. If this occurs, the consumers will be notified promptly by any or all of the following: mailers, door hangers, public postings at the Town Hall, Post Offices, etc. The public will be asked to begin voluntary conservation measures and Class III Non-Essential uses will be halted.
- 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.

## **Section 5. Phased WSRP and Water Use Reduction Goals (cont.)**

### **Phase II – Mandatory**

- This phase will begin when the Town Manager issues a water shortage advisory. The consumers will be notified by one of the methods noted in Phase I. All users will be required to adhere to the voluntary conservation measures as noted in Attachment I. 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.
- During Phase II, industrial facilities will be required to develop and demonstrate to the Town Manager a water shortage response program. This program should show, at least, a 25 % reduction in water usage.

### **Phase III – Emergency**

- This phase will commence with the issuance of a water shortage emergency declaration from the Town's Manager. Users will be notified by any or all the methods noted in Phase I. All users will be required to use voluntary conservation measures outlined in "Attachment I". Class III uses will be banned, and Class II uses will be allowed with the exception of vegetative watering. Industrial users will be required to implement their water reduction program, immediately.
- In addition, residential users will be allotted 1000 gallons per month per person per connection. If the user uses 1001-1250 gallons per month per person per connection, a surcharge of 25% will be added to the monthly bill. If the user uses 1251-1500 gallons per month per person per connection, a surcharge of 75% will be added to the monthly water bill. If the user uses 1501 or more gallons per month per person per connection, a surcharge of 150% will be added to the monthly 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 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 surcharge of 100% added to the next monthly bill. Any amount used above 25% of the previous 12-month average water use will require the Town to add a surcharge of 150% to the monthly bill.

## **Section 6. Enforcement**

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

### **Phase I – Voluntary Conservation**

- Continued water consumption by Class III, non-essential users will result in a written notice of violation for the first offense, a \$25.00 fine, and a \$25.00 fine for each subsequent offense.

### **Phase II – Mandatory Reductions**

- Failure to adhere to the Phase II (Mandatory) required conditions will result in a written notice of violation for the first offense and a \$50.00 fine. Thereafter, each violation increases by a factor of \$50.00. Any violation past a fourth offense shall result in a disruption of water service to the offending party until Phase II has been rescinded.

## **Section 6. Enforcement (cont.)**

### **Phase III – Emergency Reductions**

- Failure to comply with the mandates during Phase III will require the offending party to pay \$100.00 fine for the first offense, \$350.00 fine for the second offense and disruption of service for the third offense.

## **Section 7. Public Comment**

Customers will have multiple opportunities to comment on the provisions of the water shortage response plan. A draft plan will be published on the Town's website. A public hearing will be scheduled to gather citizen comments, with notice given to the public that copies of the plan are available for pick up at any municipal building. Any changes to the WSRP after adoption by Council will be published at least 30 days prior to an adoption vote by Elizabethtown's Town Council.

## **Section 8. Variance Protocols**

Applications for water use variance requests are available from the Town of Elizabethtown website and at the Town Hall. All applications must be submitted to Town Hall for review by the 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 & economic importance, purpose (i.e. necessary use of drinking water) and the prevention of structural damage.

## **Section 9. Effectiveness**

The effectiveness of the Elizabethtown 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.

## **Section 10. Revision**

The (WSRP) 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, as required by the provisions of G.S. 143-355 (I). 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 Elizabethtown's Town Council. The Town of Elizabethtown is responsible for initiating all subsequent revisions.

## **Water Shortage Response Plan Cancellation**

As the determining parameter(s) decrease in severity and return to acceptable levels, the Town will lift the WSRP. The cancellation process will be in the reverse order of the WSRP implementation.

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Content Modified on May 2, 2023 (DE & SBD) and e-mailed to Vardry Austin