

ORDINANCE #2009-01

ORDINANCE AMENDING THE CITY OF RAEFORD

WATER AND SEWER UTILITY ORDINANCE BY REVISING

“ARTICLE II, SECTION 4 TITLED WATER SHORTAGE RESPONSE PLAN”

WHEREAS, the City of Raeford deems it prudent to create and periodically revise a Water Shortage Response Plan;

BE IT ORDAINED by the City Council of the City of Raeford that the City’s Water and Sewer Utility Ordinance is amended by the revision of Article II, Section 4 as follows in its entirety:

SECTION 4 – WATER SHORTAGE RESPONSE PLAN

4.1 Scope and Intent

The following Water Shortage Shortage Response Plan (WSRP) measures in this Ordinance shall be enforced by the City Manager upon meeting the trigger conditions identified below. In the absence of the City Manager, the Superintendent shall enforce the provisions of the WSRP.

The City Manager shall review and revise this WSRP, as necessary, no less frequently than once every five years. Revisions to the WSRP shall be submitted to the NC Division of Water Resources for review and approval and posted for public comment in accordance with the City’s procedure for public review of ordinances prior to the adoption by the City Council.

All municipalities, service districts, water corporations, or water authorities purchasing water from the City of Raeford shall adopt and enforce this WSRP as a condition of water sales agreements. Upon the declaration of a water shortage, all such entities shall enforce the appropriate water use restrictions or percent reduction goals for each phase of response to a water shortage.

Requests for water use restriction variances shall be submitted to the City Manager. The request shall include the type of water use restriction for which the variance is being requested, the expected duration of the variance, other available water sources, documentation of any damages that have occurred or will occur if the variance is denied, and any other information relevant to the request. The City Manager shall approve or deny each request within seven calendar days after the date the request is received by the City Manager. Determination of approval or denial of the request shall be based on careful consideration of the impact on water demand, expected duration, alternative source options, social and economic importance, purpose for the request, and the prevention of real property damage. If the City Manager denies the request, then the decision shall be final unless appealed to the City Council at the next regularly scheduled City Council meeting.

Generally, the City Manager shall issue a water shortage advisory (initiating voluntary phase of reductions of water usage), water shortage alert (initiating mandatory phase of restrictions of water usage), or water shortage emergency declaration (initiating emergency phase of restrictions, bans, or rationing of water usage). Depending on the specific water shortage

occurrence, the issuance of advisories, alerts, or emergency declarations may be system-wide or limited to portions of the water system affected by the specific occurrence.

Notification of the initiation of, or progression to, a higher water conservation phase shall be made by sending emails to applicable water system employees and administrative staff, posting notices at the City offices, providing information on the City's website, and mailing information to each customer. Other means of communication may be used as appropriate, including radio, newspaper, and other public media. Notifications shall include the specific voluntary and mandatory measures for water users.

Water shortage advisories, alerts, or emergency declarations may be issued for a variety of reasons. They include, but are not limited to, the following:

- (a) Contamination of well(s), raw water main(s), or potable water main(s)
- (b) Drought advisory issued by the North Carolina Drought Management Advisory Council
- (c) Break in a potable water main that supplies a significant portion of the water system
- (d) Removal of elevated or other storage tanks for extended maintenance
- (e) Equipment malfunction or failure, removal of wells from service, or other occurrences significantly affecting the City's capability of delivering raw water or adequately treating the raw water
- (f) Power failure significantly affecting the City's capability of delivering raw water or adequately treating the raw water

Conditions to be used to trigger advisories, alerts, or emergency declarations include, but are not limited to, the following:

VOLUNTARY PHASE

- (a) Wells are operating in excess of 12 hours daily to supply the system demand
- (b) 10% or more of the well system capacity has been removed from service for any reason, or the pumping capacity of a majority of the wells has been significantly diminished for an extended period
- (c) Power failure, affecting the water treatment plant or a significant portion of the wells, which Superintendent has estimated will last more than 24 hours
- (d) Contamination of or breaks in potable or raw water mains, extended maintenance or repair, or other occurrences requiring more than a few days or extraordinary means to satisfactorily resolve as determined by the Superintendent or Public Works Director

MANDATORY PHASE

- (a) The mandatory phase shall be triggered when (1) the Superintendent determines that voluntary phase measures and reductions have not achieved the desired goals; (2) drawdown levels continue to increase, and pumping capacity continues to diminish; or (3) other triggers as listed in (b) and (c)
- (b) Wells are operating in excess of 14 hours daily to supply the system demand
- (c) 20% or more of the well system capacity has been removed from service for any reason, or the pumping capacity of a majority of the wells has been significantly diminished for an extended period

EMERGENCY PHASE

- (a) The emergency phase shall be triggered when (1) the Superintendent determines that neither voluntary nor mandatory phase measures and reductions have achieved the desired goals; (2) drawdown levels continue to increase, and well capacity continues to diminish; or (3) other triggers as listed in (b), (c), and (d)
- (b) Wells are operating in excess of 16 hours daily to supply the system demand
- (c) 30% or more of the well system capacity has been removed from service for any reason, or the pumping capacity of a majority of the wells has been significantly diminished for an extended period
- (d) Extended power failure that cannot be adequately addressed with available stationary or portable standby generators

For the purposes of this Section, “extended period” shall mean 30 days. The Superintendent shall make the determination of whether or not pumping capacity has been “significantly diminished” based on available pump or well design information, flow monitoring data, and operating drawdown levels.

The Superintendent shall annually determine the effectiveness of the WSRP by comparing the stated water conservation goals with observed water use reduction data. Evaluation of effectiveness shall also involve review of frequency of WSRP activation, review of problem periods without activation, assessment of total number of violations, assessment of desired reduction achieved, and evaluation of demand reductions compared with data from prior years.

4.2 Education and Outreach Program

The City of Raeford shall encourage year-round efficient use of potable water by all customers through mailings and information posted at City offices or on the City of Raeford’s website. The Superintendent shall carefully monitor demand and supply and determine average daily demand as a percent of available supply and report the results to the City Manager. The Superintendent shall periodically check the status of drought conditions issued by the North Carolina Drought Management Advisory Council and update the City of Raeford’s website accordingly.

4.3 Water Use Classifications

(a) CLASS 1: ESSENTIAL WATER USES

The following water uses have been determined to be essential uses of potable water provided by the City of Raeford in the event of a water shortage.

- (1) Domestic Use for Drinking, Personal Hygiene, and Sanitation
- (2) Patient Care/Rehabilitative Services
- (3) Uses to Sustain Human Life and the Lives of Domestic Pets
- (4) Fire Fighting, Fire Department Drills and Testing
- (5) Flushing Fire Hydrants and Public Sewers as necessary to ensure Public Health and Safety

(b) CLASS 2: SOCIALLY/ECONOMICALLY IMPORTANT WATER USES

The following water uses have been determined to be socially or economically important uses of potable water provided by the City of Raeford in the event of a water shortage.

- (1) Domestic Use for laundry, cooking, and house cleaning
- (2) Industrial Use to maintain jobs
- (3) Outdoor commercial watering (public or private) using conservation measures
- (4) Irrigation for commercial vegetable gardens and fruit orchards or the maintenance of livestock
- (5) Watering of trees where necessary for preservation
- (6) Watering by commercial nurseries at a minimum level necessary to maintain stock
- (7) Use of fresh water at a minimum rate necessary to establish vegetation following earth-moving, where such vegetation is required by law or regulation
- (8) Watering of golf course greens
- (9) Filling and operation of public swimming pools
- (10) Commercial car and truck washes
- (11) Commercial Laundromats
- (12) Restaurants and clubs
- (13) Home vegetable gardens
- (14) Convenience stores, gas stations, and other commercial establishments
- (15) Schools and churches
- (16) Hotels, motels, and inns
- (17) Commercial Air conditioning:

(c) CLASS 3: NON-ESSENTIAL WATER USES

The following water uses have been determined to be non-essential uses of potable water provided by the City of Raeford in the event of a water shortage.

- (1) Fountains, reflecting pools, and artificial waterfalls
- (2) Gardens, lawns, parks, golf courses (except greens), playing fields and other recreational areas
- (3) Water hoses or sprinklers for recreational purposes
- (4) Non-commercial washing of motor vehicles
- (5) Serving water in restaurants, clubs, or eating places except by specific request
- (6) Watering of inedible plants except as specified in Class 2
- (7) Filling and operation of residential swimming pools

4.4 Conservation Measures and Water Use Restrictions

(a) VOLUNTARY PHASE: Water Use Reduction

- (1) Review WSRP and modify as necessary

- (2) Issue water shortage advisory and increase conservation educational campaign
- (3) 10% potable water use reduction goal (system-wide)
- (4) Encourage continued voluntary conservation
- (5) Monitor compliance with voluntary water use
- (6) Explore alternatives for supplementing water supply

(b) **MANDATORY PHASE: Water Use Restrictions**

- (1) Issue a water shortage alert
- (2) 20% potable water use reduction goal (system-wide)
- (3) Encourage water use reduction for Class 2 and 3 uses
- (4) Restrict irrigation of outdoor landscaping, including grass, shrubbery, trees, flowers:
 - a. irrigation shall be limited to the hours of 7:00 p.m. to 7:00 a.m.;
 - b. for customers whose address numbers end in an even digit, such watering shall be restricted to watering on Tuesday, Thursday, and Saturday;
 - c. for customers whose address numbers end in an odd digit, such watering shall be restricted to watering on Wednesday, Friday, or Sunday;
 - d. no irrigation shall take place on Monday or in the daylight hours of any day between 7:00 a.m. and 7:00 p.m.;
 - e. exceptions to these restrictions may be granted temporarily to persons engaged in the business of landscaping on a site by site basis for one to three days, by permit issued by the City Manager.
- (5) Monitor compliance with water use restrictions and increase restrictions as necessary
- (6) Fine enforcement

(c) **EMERGENCY PHASE: Water Use Restrictions, Bans, or Rationing**

- (1) Issue a water shortage emergency declaration
- (2) 30% potable water use reduction goal (system-wide)
- (3) Ban all Class 3 uses
- (4) Ban or restrict Class 2 uses
- (5) Aggressive compliance monitoring and enforcement
- (6) Implement specific restrictions, bans, or rationing measures on industrial water customers

4.5 Enforcement

For violations of the restrictions implemented during the mandatory or emergency phases of a water shortage, the City Manager shall assess the following civil penalties:

FIRST OFFENSE:	\$50 fine
SECOND OFFENSE:	\$100 fine

THIRD AND SUCCEEDING OFFENSES:

\$250 fine

The City of Raeford may disconnect the water connection of any user determined to be responsible for persistent violations.

This revision adopted by the City Council of the City of Raeford on the 7th day of December 2009 and shall be effective as of this day.



Betty Smith
CLERK

John K. McNeill
MAYOR