**TOWN OF NEWTON GROVE**

 **March 2023**

**WATER SHORTAGE RESPONSE PLAN ORDINANCE**

# Section 1. Authority to Implement

When conditions dictate, the Town of Newton Grove Public Works Director, under the Direction of the Town’s Mayor and Board of Commissioners, will implement a Water Shortage Response Plan (WSRP). Conditions, which may require the WSRP to be enacted, are outlined in Section 2. Because a portion of Newton Grove’s water is provided by purchase from Sampson County, Newton Grove is bound at a minimum by contract to adhere to the conservation measures currently in effect in Sampson County.

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

Several parameters or conditions may require the Town of Newton Grove 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, main breaks and natural disasters.

If the factors listed above reduce well water levels, increase 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 normal well water levels is noted or if pump run times increase 20% in order to maintain previous rates or any other event which causes a 20% reduction is the water system’s capacity.

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 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 waters levels is noted or if pump run times increase 60% in order to maintain previous rates or any other event which causes a 60% reduction in the system’s capacity.

# 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.

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. 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 2 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 Office, etc. The public will be asked to begin voluntary conservation measures and Class III Non-Essential uses will be halted. Specific conservation measures and tips can be seen on Attachment I.

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

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.

Phase II – Mandatory

This phase will begin when the Town Public Works Director 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 measurers 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 Public Works director a water shortage response program. This program should show, at least, a 25 % reduction in water usage.

Failure to adhere to the Phase II (Mandatory) required conditions will result in a written notice of violation for the first offense and/or 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.

Phase III – Emergency

This phase will commence with the issuance of a water shortage emergency declaration from the Town’s Public Works Director. 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 “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.

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.

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 5. Enforcement

Enforcement of mandatory conservation and associated fines will be the responsibility of the Public Works Director under the direction of the Town’s Mayor and Board of Commissioners.

# Section 6. Public Comment

Plan submitted for public comment during public hearing to adopt the plan.

# Section 7. Variance Protocols

Criteria for granting variances shall be as follows:

* **Impact on water system demand**
* **Necessary use of drinking water**
* **Expected duration of demand**
* **Alternative Source Options**
* **Social and economic importance**
* **Prevention of structural damage**

Applications for water use variance requests are available at Town Hall. All applications must be submitted to Town Hall for review by the Public Works Director and the Board of Commissioners. A decision to approve or deny individual variance requests will be determined within two weeks of submittal.

# Section 8. Effectiveness

Overall effectiveness of the plan will be measured as follows:

* **Frequency of activation**
* **Problem periods without activation**
* **Number of violation citations**
* **Desired reductions attained**
* **Evaluation of demand reductions**

Were reductions the result of plan measures or due to seasonal variations?

The effectiveness of the Newton Grove water shortage response plan will be determined by comparing the stated water conservation goals with observed water use reduction data.

# Section 9. Plan Revision

**The Public Works Director will review the WSRP:**

* **After each activation**
* **To adapt to new demands or supplies**
* **At a minimum of every five years**

The Town Board of Commissioners and Public Works Director will meet to review procedures after each emergency reduction stage to recommend necessary improvements to the WSRP. All subsequent revisions to the plan will be published at least 30 days prior to adoption vote by the Town Commissioners.

# Section 10. 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.