

**AN ORDINANCE PROVIDING FOR THE
YEAR-ROUND CONSERVATION OF WATER AND FOR
TEMPORARY RESTRICTIONS DURING WATER SHORTAGES
AND EMERGENCIES.**

I. Authorization

The City Of Rockingham's City Manager shall enact the following water shortage response provisions whenever the trigger conditions outlined in Section IV are met. In his or her absence, the Public Works Director will assume this role.

Mr. Monty Crump
City Manager
Phone: (910) 895-9088
E-Mail: monty@gorockingham.com

Mr. Richard Haugen
Public Works Director
Phone: (910) 895-2488
E-Mail: rockingham1@carolina.rr.com

II. Notification

The following notification methods will be used to inform water system employees and customers of a water shortage declaration: the City manager will notify employees, notices at municipal buildings, notices on the water bills and on the City of Rockingham's website. Required water shortage response measures will be communicated through the Daily Journal, announcements on local radio and cable stations, and on the City Of Rockingham's website. Declaration of emergency water restrictions or water rationing will be communicated to all customers by telephone use of reverse 911.

III. Levels of Response

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

Stage	Response	Description
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: watering lawns, grass, shrubbery, trees, flowers and vegetable gardens. Customers will be allowed to water on Wednesday and Sunday (two days out of each week). A total of no more than a half-inch of water (as measured in a shallow container, such as an empty tuna fish can) should be applied during any given week. The restrictions of this section shall not apply to any persons regularly engaged in the sale of plants, who shall be allowed to irrigate their commercial stock in trade. Washing automobiles, trucks, trailers, boats, airplanes, or any other type of mobile equipment other than on Saturday (one day out of each week). Any person regularly engaged in the business of washing motor vehicles and any commercial car wash facility shall be permitted to use water for such purposes until they have reached their maximum average monthly usage. Meters on such

businesses will be disconnected once maximum average monthly usage has been reached.

Washing down outside areas such as streets, driveways, service station aprons, parking lots, office buildings, exteriors of existing or newly constructed homes or apartments, sidewalks, or patios, or to use water for similar purposes. Provided however, that any person regularly in the business of washing such areas shall be permitted to use water for such purposes. To use water from public or private fire hydrants for any purpose other than fire suppression or other public emergency or water department needs. To use water for dust control or compaction. To intentionally waste treated water.

In Stage 3, Mandatory Reductions II, customers must continue actions from all previous stages and further reduce water by 20% compared to their previous month's water bill. All non-essential uses to the minimum amount necessary for survival. Irrigation of lawns, gardens, trees, or shrubs with City of Rockingham supplied water through any system or device other than a watering can shall be allowed only on (Sunday) out of each week. A total of no more than a half-inch of water (as measured in a shallow container, such as an empty tuna fish can) should be applied during any given week. There shall be no introduction of water into any ornamental fountain, swimming pool, or pond or other structure making similar use of water. Washing of automobiles is strictly prohibited. Any person regularly engaged in the business of washing vehicles and any commercial car wash facility shall be permitted to use water for such purposes until they have reached their maximum average monthly usage. Meters on such businesses will be disconnected once maximum average monthly usage has been reached.

In Stage 4, Emergency Reductions, All the mandatory provisions of Stage I, and II Water Shortages, as described above, shall remain in effect, except the following: No City of Rockingham supplied water shall be used for any outdoor purposes other than emergency fire suppression. Water service may be disconnected or reduced, as determined by the City of Rockingham Water Treatment Plant Superintendent and City Manager in designated portion of the City of Rockingham service areas through the manipulation of valves, pumps, and other appurtenances in order to preserve the availability of water for public health and safety facilities, such as hospitals, medical clinics, etc., fire protection, and other critical community needs. Any customers that use City of Rockingham water for heating/cooling systems shall reduce the heating/cooling demand in all but the most essential facilities to the extent allowable with regard to indoor air quality standards and employee health and safety requirements.

In 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.

IV. Triggers

The City of Rockingham's water source comes from Roberdel Lake and the City Pond. The following measurements of usable storage and intake levels trigger entry into corresponding water restrictions stages.

Roberdel Lake

Stage	Usable Storage	Water Level
1	75%	10ft
2	65%	9ft
3	50%	7ft
4	30%	4ft
5	0%	Water Below Top of Lower Intake

City Pond

Stage	Usable Storage	Water Level
1	75%	6ft
2	65%	5ft
3	50%	4ft
4	30%	2ft
5	0%	Water Below Top of Lower Intake

V. Enforcement

The City of Rockingham's utility department and police personnel will enforce the provisions of the water shortage response plan. Any violations of the provisions of this Article shall constitute a misdemeanor punishable upon conviction by a fine or imprisonment not exceeding thirty (30) days as provided by General Statute Section 14-4, and in addition thereto, such violation may be enjoined and restrained as provided in General Statute Section 160A-175. Citations are assessed according to the following schedule depending on the number of prior violations and current level of water shortage.

Water Shortage Level	First Violation	Second Violation	Third Violation
Voluntary Reductions	N/A	N/A	N/A
Mandatory Reductions (Stages 2 and 3)	Warning	\$50	Discontinuation of Service
Emergency Reductions	\$100	Discontinuation of Service	Discontinuation of Service
Water Rationing	\$200	Discontinuation of Service	Discontinuation of Service

VI. Public Comment

Customers will have opportunities to comment on the provisions of the water shortage response plan. First, a draft plan will be published in the Daily Journal and on the City of Rockingham's 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 will be published thirty (30) days prior to an adoption vote by Rockingham's City Council.

VII. Variance Protocols

Applications for water use variance requests are available from the City of Rockingham's website and Town Utility Office. All applications must be submitted to the Utility Office for review by the Utility Director or his or her designee. A decision to approve or deny individual variance requests will be determined within two (2) 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.

VIII. Effectiveness

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

IX. 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 (5) 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 Rockingham City Council. The City of Rockingham's Utility Director is responsible for initiating all subsequent revisions.

Injunctive Remedies

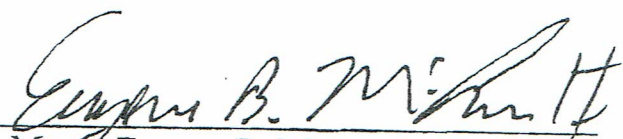
Pursuant to the provisions of General Statute Section 160A-193, the injunctive remedies therein provided shall be applicable for the summary abatement or remedying of appropriate conditions dangerous or prejudicial to the public health both within the City limits and within one mile thereof, and the expenses thereof shall be assessed as provided therein.

Severability

If any section, subdivision, clause, or provision of this Article shall be adjudged invalid, such adjudged, and the remainder of this Article shall remain fully valid and effective.

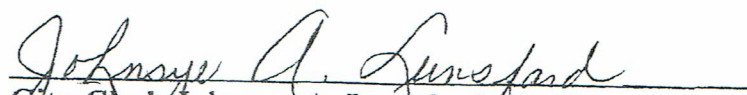
This ordinance shall become and be effective on the date and time as passed by the Rockingham City Council.

Passed by the City Council of Rockingham, North Carolina on this the 8th day of , 2009.



Mayor Eugene B. McLaurin, II

ATTEST:



City Clerk Johnsy A. Lunsford, CMC