

INDIANA SUGGESTED ORDINANCE

An ordinance for the conservation and rationing of water furnished by the City of _____

BE IT ORDAINED by the City of _____, Indiana

WHEREAS, from time to time climatic and other conditions, both natural and man-made, may arise or occur which cause a temporary shortage of water ; and

WHEREAS, such conditions may affect the _____ public water system's ability to provide an adequate supply of water or where the public water supply may be unable to maintain adequate water pressure in the delivery system; and

WHEREAS, in such event it is imperative to the well being of the citizens of the City of _____ that the use of water not essential to the health, welfare and safety of the City of _____ and its citizens be restricted,

NOW THEREFORE, BE IT ORDAINED by the City of _____

Section 1. *Application.* This ordinance shall apply to all persons, firms, partnerships, corporations, company or organizations of any kind connected to the _____ public water system or using water therefrom (hereafter, users).

Section 2. *Declaration of Need.* Upon determining that the City of _____ public water system is in imminent danger of a shortage of water or is experiencing a shortage of water, the governing body shall declare a water conservation emergency and establish the appropriate conservation measures and the duration thereof.

Section 3. *Voluntary Conservation.* In accordance with Section 7, users shall be requested to reduce water consumption by practicing voluntary conservation techniques. The governing body shall suggest reasonable and meaningful actions which will alleviate existing or potential water shortage.

Section 4. *Mandatory Conservation.* In accordance with Section 7, users shall be prohibited from the water uses listed below, subject to reasonable terms, times and conditions as the governing body shall determine.

- a. Sprinkling, watering or irrigating of shrubbery, trees, grass, ground covers, plants, vines gardens, vegetables, or any other vegetation.
- b. Washing of automobiles, trucks, trailers, mobile homes, railroad cars or any other type of mobile equipment.

- c. Cleaning or spraying of sidewalk, driveways, paved areas, or other outdoor surfaces.
- d. Washing or cleaning of any business equipment or machinery.
- e. The filling of swimming pools, wading pools and ornamental fountains.
- f. Knowingly allowing leakage through defective plumbing.

Section 5. *Rationing.* In addition to the mandatory conservation measures identified in section 4 and in accordance with Section 7, users shall be limited to water use per the following schedule:

- a. Residential use shall be limited to _____ gallons per person per day.
- b. Business, commercial and industrial users shall be limited to _____ percent of the volume of water used during the corresponding month of the preceding year. Business, commercial or industrial users that were not in business and operating in the area served by the _____ Public Water System more than one year prior to the declaration of need shall be restricted to _____ percent of the average monthly volume of water used during the number of months such business, commercial and industrial user was in business and operating in the public water system area.

Section 6. *Exceptions.* The governing body of the City of _____, reserves the right to establish alternative rationing requirements for the following:

- a. Health care providers.
- b. A reasonable use of water to maintain adequate health and sanitary standards.
- c. Those industrial and agricultural activities declared to be necessary for the public health and well-being.

Section 7. *Notice.* Notice of voluntary conservation measures shall be by publication in a local newspaper of general circulation or other means as deemed appropriate by the governing body. Said notice shall be effective upon publication.

Notice of mandatory conservation or rationing shall be by first class United States mail, or by other door to door distribution to each current user, and by electronic and print media. Said notice shall be deemed effective at the conclusion of door to door distribution, or at noon of the third day after depositing same in the United States mail.

Section 8. *Enforcement.* Any user who violates Section 4 or 5 of this ordinance may be punished by a fine of not more than \$2,500 *see IC 36-1-3-8 (a)(10)(B)*. Each day of violation shall constitute a separate offense. In addition to, or

in the alternative to a fine, water service may be terminated for any user who violates Section 4 or 5 of this ordinance

Section 9. *Effective date.* This ordinance shall be in full force and effect upon passage.

Passed and adopted by the City of _____, Indiana, on the ____ day of _____, 20__.