



TOWN OF FARMVILLE

CODE OF ORDINANCES

CHAPTER 26 – UTILITIES

Section 1 DEPARTMENT ESTABLISHED

There is hereby established a Department of Utilities directly under the director of utilities, who shall be appointed by the town manager and confirmed by the Town Board (Chapter 2, Section 3.2.3.7). Utilities are defined as the systems owned or operated by the Town for the distribution, collection and treatment of electricity, water and sewage.

Section 2 DUTIES OF DIRECTOR

The director of utilities will be responsible for the following:

- 2.1 Administration and supervision of department personnel.
- 2.2 The Administration and supervision of property used by the Utilities Department, real and personal.
- 2.3 The upkeep and maintenance of the property supervised by the Utilities Department.
- 2.4 Preparation of long range planning and the budget for the needs of the Utilities Department in order to provide the services required.
- 2.5 Recommendations to the Manager and the Board of policies and rates for the services provided by the Department.
- 2.6 Monthly and annual reports of the Department activities, including volume of distribution of electrical services and water, and the collection and treatment of sewage, and the condition and needs, of the Department properties.

Section 3 RATES FOR SERVICES

The Board will set the rates from time to time for electricity, water and sewage distribution, collection and treatment, as the case may be and for such other services as the Department may provide. The current rates shall be those last enacted by the Board.

Section 4 METERS

4.1 Meters Required

Except as may be otherwise authorized by the Board, meters shall be required on all utility connections to meter the consumption of the service used by the consumer.

4.2 Separate Meters

Each family unit or separate business shall have an individual meter except as may be otherwise authorized by the Board.

4.3 Meter Readings

The Utilities Department will provide for the reading of meters periodically and make reports in writing upon such readings so that billings may be done.

4.4 Access to Meters

Meter readers shall have reasonable access to the meters of the consumer of services of the Department and refusal by the consumers to allow the reading of the meters will be grounds for termination of service.

Section 5 POLICIES

Policies governing the operation of the Utilities Department and utilities services shall be those adopted from time to time by the Town Board. These policies shall be in writing and shall be kept on file in the offices of the utilities director, the town manager, and the town clerk.

Section 6 WATER EMERGENCY MANAGEMENT PLAN

6.1 Declaration of Water Emergency

The Town Manager or his authorized representative is authorized to declare that a water emergency exists. Depending on the severity of the emergency, voluntary (Stage 1) and mandatory (Stage 2 and Stage 3) staged water use restrictions as described in this article shall be imposed upon water customers.

6.2 Staged Water Use Restrictions

6.2.1 Stage 1 - Water Conservation Alert

A Stage 1 water emergency may be declared in the event of an immediate water shortage or when there are three consecutive days when the water demand exceeds 80% of the water production capacity. Water production capacity shall be defined as the maximum volume of water that meets state and federal standards that the water treatment process, along with allotted

purchased water can produce during a twenty-four hour period. Water production capacity can vary depending on system component reliability and raw water conditions. During a declared Stage 1 water emergency the following voluntary water conservation practices shall be encouraged:

- (a) Inspect and repair all faulty and defective parts of faucets and toilets.
- (b) Use shower for bathing rather than bathtub and limit shower to no more than 5 minutes.
- (c) Do not leave faucets running while shaving, brushing teeth, rinsing or preparing food.
- (d) Limit the use of clothes washers and dishwashers and when used, operate fully loaded. Operate dishwashers after the peak demand hours of 6 to 10 p.m.
- (e) Limit lawn watering to that necessary for plant survival. Water lawns before the peak demand hours of 6 to 10 a.m.
- (f) Water shrubbery the minimum required. Water shrubbery before the peak demand hours of 6 to 10 a.m.
- (g) Limit vehicle washing.
- (h) Do not wash down outside areas such as sidewalks, driveways, patios, etc.
- (i) Install water saving showerheads and other devices.
- (j) Use disposable and biodegradable dishes where possible.
- (k) Install water saving devices in toilets such as early closing flappers.
- (l) Limit hours of water-cooled air conditioners.
- (m) Do not fill swimming or wading pools.

6.2.2 Stage 2 - Water Shortage Warning

A Stage 2 water emergency may be declared in the event of an immediate water shortage or when there are two consecutive days when water demand exceeds 90% of the water production capacity. Water production capacity shall be defined as the maximum volume of water that meets state and federal standards that the water treatment process, along with allotted purchased water can produce during a twenty-four hour period. Water production capacity can vary depending on system component reliability and raw water conditions. During a declared Stage 2 water emergency the following activities shall be prohibited:

- (a) Watering lawns, grass, shrubbery, trees, flowers and vegetable gardens except by hand held hose, container, or drip irrigation system. A person who regularly sells plants will be permitted to use water on their commercial stock. A golf course may water their greens. State, County and Town licensed landscape contractors may water by hand held hose or drip irrigation any plants under a written warranty.

- (b) Filling swimming or wading pools, either new constructed or previously drained. Make up water for pools in operation will be allowed.
- (c) Using water-cooled air conditioners or other equipment, in which cooling water is not recycled, unless there are health and safety concerns.
- (d) Washing any type of mobile equipment including cars, trucks, trailers, boats or airplanes. Any persons involved in a business of washing motor vehicles may continue to operate.
- (e) Washing outside surfaces such as streets, driveways, service stations aprons, parking lots, or patios.
- (f) Washing the exterior of office buildings, homes, or apartments.
- (g) Using water for any ornamental fountain, pool, pond, etc.
- (h) Serving drinking water in food establishments such as restaurants or cafeterias, unless requested to do so by the customer.
- (i) Using water from a public or private fire hydrant for any reason other than to suppress a fire or other public emergency or as authorized by the Town Manager or his authorized representative.
- (j) Using water to control or compact dust.
- (k) Intentionally wasting water.
- (l) Commercial and industrial water customers shall achieve mandatory reductions in water usage through whatever means are available. A minimum reduction of 20% shall be the target; however a greater target reduction percentage may be required depending on the severity of the water emergency. Compliance with the reduction target shall be determined by the Town Manager or his authorized representative. Variances to the target reduction may be granted by the Town Manager or his authorized representative to designated public health facilities.

6.2.3 Stage 3 - Water Shortage Danger

A Stage 3 water emergency may be declared in the event of an immediate water shortage or when there is one day when water demand exceeds 100% of the water production capacity. Water production capacity shall be defined as the maximum volume of water that meets state and federal standards that the water treatment process, along with allotted purchased water can produce during a twenty-four hour period. Water production capacity can vary depending on system component reliability and raw water conditions. During a declared Stage 3 water emergency the following activities shall be prohibited, in addition to activities prohibited under Stage 2:

- (a) Watering lawns, grass, shrubbery, trees and flowers.
- (b) Washing motor vehicles at commercial car wash establishments.
- (c) Watering any vegetable garden except by hand held hose, container, or drip irrigation.
- (d) Commercial and industrial water customers shall achieve mandatory reductions in water usage through whatever means are available. A minimum reduction of 50% shall be the target; however a greater target reduction percentage may be required depending on the severity of the water emergency. Compliance with the reduction target shall be determined by the Town Manager or his authorized representative. Variances to the target reduction may be granted by the Town Manager or his authorized representative to designated public health facilities.
- (e) In the event that the prohibition of the activities listed above is not sufficient to maintain an adequate supply of water for fire protection, all use of water for purposed other than maintenance of public health and safety shall be prohibited. Residential water use shall be limited to the amount necessary to sustain life through drinking, food preparation and personal hygiene.

6.3 Compliance Plan During Stage 2 and Stage 3 Emergencies

The Town Manager or his authorized representative may require that Commercial and Industrial water customers prepare plans detailing measures to be taken by them to achieve mandatory reductions in daily water usage during Stage 2 and Stage 3 emergencies. Such plans shall be completed within sixty (60) calendar days after receipt of notice to prepare them.

6.4 Penalties for Violation of Mandatory Restrictions

Any User who is found to have failed to comply with any of the mandatory restrictions set forth in these Regulations may be fined up to five hundred dollars (\$500) per day per violation.

6.5 Authority to Discontinue Service

Pursuant to the provisions of the Town of Farmville Utility Service Policies, water service may be temporarily discontinued for failure to comply with the mandatory restrictions in these Regulations. All applicable penalty fees may be applied in the event of such service suspensions. In the event of continued noncompliance with this article, removal of meter and service will be deemed proper and service will be discontinued and tap fees and deposits will be forfeited.

6.6 Appeal by Customers of Penalties and Termination of Service

Any User who receives a penalty and/or has service terminated as a result of violations of the mandatory restrictions in these Regulations may appeal upon notification to the Town Manager to the Farmville Board of Commissioners. The Town Board shall be the final decision maker for appeals and shall transmit a written copy of the final decision by registered or certified mail within three days after notification by the Town Manager.

6.7 Adoption and Enforcement of Article by Public or Private Water Systems

Public or private water systems purchasing water from the Town of Farmville shall adopt and enforce this entire article as a condition of water service. Upon declaration of a water emergency, the public or private water service shall enforce the appropriate water use restrictions for the level of declared emergency.

6.8 Termination of Restrictions

A water emergency declaration will expire when the Town Manager or his authorized representative determines that the condition which causes the emergency has been abated. The expiration or cancellation of a water emergency declaration shall be promptly and extensively publicized.

6.9 Severability

All ordinances or parts of ordinances of the Town of Farmville which are in conflict herewith, are hereby repealed to the extent of such conflict.

Section 6 adopted on December 7, 2004