

AN ORDINANCE ADOPTING
RESTRICTIONS ON THE USE OF PUBLIC WATER

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County

That the following ordinance is hereby adopted as follows:

The Board of Supervisors recognizes that from time to time it may become necessary to restrict the water use to its customers on the Dinwiddie County Water Authority's water system because of drought conditions or emergency situations. It is the desire of the Board of Supervisors to prepare for those conditions prior to their occurrence.

The Board of Supervisors has entered into a Memorandum of Understanding with the Appomattox River Water Authority to equitably distribute and restrict water use during drought or emergency conditions.

A. Definitions

1. **Fountain:** A water display where water is sprayed into the air, strictly for ornamental purposes.
2. **Person:** Any individual, corporation, partnership, association, company, business, trust, joint venture or other legal entity.
3. **Established landscaping:** Landscaping plantings existing in an area after such period of time as to accomplish the establishment and maintenance of growth.
4. **Swimming pool:** Any structure, basin, chamber, or tank containing an artificial body of water for swimming, diving or recreational bathing and having a depth of two feet or more at any point.
5. **Vegetable garden:** Any "non-commercial" vegetable garden planted primarily for household use; "non-commercial" includes incidental direct selling of produce from such vegetable garden to the public.
6. **Water outage emergency:** A condition in which: a) the supply of water in the system or from the supplier has ceased or is in jeopardy of cessation, b) is severely limited due to water system failure, or c) is polluted. Such emergency is required to protect human health or provide minimum potable water for human consumption.

B. There are established three levels of restrictions:

1. **Voluntary** (Lake Chesdin has 300 days of supply remaining at present usage)
Persons are requested to restrict their water usage. It is suggested that decorative fountains not be used, do not wash off paved areas unless there is a health reason, do not fill or replenish pools unless necessary, reduce or stop washing vehicles, limit lawn and garden watering, and golf courses water only greens and tees.
2. **Mandatory** (Lake Chesdin has 200 days of supply remaining at present usage)
Prohibit use of decorative fountains, prohibit washing of paved areas except for health reasons, no filling or replenishing of pools except for health care facilities, restrict vehicle washings to one per week, limit lawn and garden watering to odd/even days (odd last digit home addresses water on Tuesday, Thursday and Saturday and even last digit home addresses water on Wednesday, Friday and Sunday), shrubs limited to one five gallon

bucket per day, golf courses water tees and greens only and restaurants serve water only when requested.

3. **Emergency** (Lake Chesdin has 125 days of supply remaining at the present usage) All persons shall curtail all non-essential water use and in addition to the mandatory restrictions: stop pool filling or replenishing, except for health care facilities, stop vehicle washing, including commercial washing, no lawn watering, no watering for gardens, trees and scrubs, no watering of golf courses, restaurants will not serve water unless it is the meal beverage, *all businesses must limit water usage to those essential for the business and human hygiene and fire hydrants will only be used for health and safety purposes.*

C. When the restrictions go into effect.

- a) When the County Administrator is notified by the Appomattox River Water Authority that water restrictions have reached one of the above levels. The County Administrator will promptly take steps necessary to notify the public that the restrictions are in effect and publish a notice of such restrictions in a newspaper having general circulation within the area.
- b) The conditions will remain in effect until Lake Chesdin is full again.**

D. Violation

It shall be a violation of this Ordinance for any person to use water, or allow or cause the use of water, in violation of the provisions of this Ordinance after the publication of such notice of restriction date.

E. Penalty

- a) Any person who violates the mandatory or emergency provision of this Ordinance shall be subject to a fine of fifty dollars (\$50).
- b) For the second offense, violator shall be fined one hundred dollars (\$100).
- c) For the third offense, violators shall be fined two hundred dollars (\$200).
- d) For a fourth and each subsequent offense, violators shall be fined four hundred dollars (\$400).
- e) Each violation by a person shall be counted as a separated violation by that person, irrespective of the location at which the violation occurs.
- f) The County Administrator may authorize cutting off a person's water supply for repeated violations.

This Ordinance shall supersede any past water restriction ordinance.

The provisions of this Ordinance are severable, and the unenforceability of any provision in the Ordinance, as determined by a court of competent jurisdiction, shall not affect the enforceability of any other provision in the Ordinance.

This Ordinance shall not be set out in the Code.