



TOWN OF PINE LEVEL WATER SHORTAGE RESPONSE PLAN

SECTION 1. PURPOSE

The purpose of this ordinance is to declare the official phases of a water supply shortage and to provide for the implementation of voluntary water conservation measures throughout the service area of the Town of Pine Level in the event a shortage is declared. The service area includes:

All areas in the city limits of Pine Level and outside which are served or supplied by the Town of Pine Level water distribution system.

SECTION II. DEFINITIONS

1. **"Water Shortage Advisory"**, shall mean the conditions exist which indicate the potential for water supply shortages.
2. **"Alert"**, shall mean:
 - (a) the raw water supply is consistently below seasonal averages. If the raw water supply continues to decline, the supply may not be adequate to meet normal needs; or
 - (b) due to mechanical failure or limitations of the water treatment facilities (capacities), adequate water supplies cannot be maintained and the conditions may be sufficient to cause a water shortage.
3. **"Crisis"**, shall mean:
 - (a) the raw water level is below the level necessary to meet normal needs; or
 - (b) due to mechanical failure or limitation of the water treatment facilities (capacities), a water shortage is subject to occur.
4. **"Customer"**, shall mean any person or entity using water for any purpose from the Town of Pine Level, and for which a regular charge is made.

5. **Emergency"**, shall mean:
 - (a) the raw water supply is below the level necessary to meet normal needs and serious water shortages exist; or
 - (b) due to mechanical failure or limitation of the water facilities (capacities), a prolong water shortage is subject to occur.
6. **"PLPWS,"** is the Pine Level Public Works Superintendent, or the Mayor of the Town of Pine Level.
7. **"TOPL"-** is the Town of Pine Level acting through the Public Works Superintendent or the Mayor of the Town of Pine Level.
8. **"Waste of Water"**, shall mean but not be limited to the failure to repair a controllable leak of water due to defective plumbing.
9. **"Water"**, shall mean water available to the Town of Pine Level for treatment or any water introduced by the Town of Pine Level into its transmission facilities.
10. **"Water Use Class"**, shall mean and be established as follows:

CLASS 1: ESSENTIAL WATER USES

Domestic Use: Water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

Health Care Facilities: Patient care and rehabilitation.

Public Use: Fire Fighting. Health and public protection purposes if specifically approved by health officials and/or the governing bodies of the health officials.

CLASS 2: SOCIALLY OR ECONOMICALLY IMPORTANT USES OF WATER

Domestic Use: All uses other than those included in Class 1 and 3. Home water use including kitchen, bathroom, and laundry use.

Outdoor Non-Commercial Watering (public or private):

Agricultural irrigation for the production of food and fiber or maintenance of livestock.

Watering by commercial nurseries at a minimum level necessary to maintain stock, to the extent that sources other than the Town of Pine Level are not available or feasible to use.

Watering of golf course greens.

Uses of water at a minimum rate necessary to implement revegetation following earthmoving, where such vegetation is required by an erosion and sedimentation control plan adopted pursuant to law or regulation to the extent that sources of water other than the Town of Pine Level are not available or feasible to use.

Water use by public gardens of national, state, or regional significance where necessary to preserve specimens; to the extent sources other than the Town of Pine Level are not available or feasible to use.

Operation and filling swimming pools:

Municipal Pools.

Health care facility pools used for patient care and rehabilitation.

Washing of Motor Vehicles:

Commercial car and truck washes, unrestricted hours of operation.

Commercial Laundromats:

Unrestricted hours of operation

Restaurants, Clubs, and Eating Establishments:

Unrestricted hours of operation

CLASS 3: NON-ESSENTIAL USES OF WATER

Ornamental Purposes: Fountains, reflecting pools, and artificial waterfalls.

Outdoor Non-commercial Watering (public or private): Gardens, lawns, golf courses, park playing fields, and other recreational areas.

EXCEPTIONS:

- 1.** Agricultural irrigation for the production of food and fiber or the maintenance of livestock.
- 2.** Water used by commercial nurseries at a minimum level necessary to maintain stock to the extent other sources of water (other than the Town of Pine Level) are not feasible to use.
- 3.** Use of Town of Pine Level water at a minimum rate necessary to implement revegetation following earthmoving, where such vegetation is required pursuant to an erosion and sedimentation control plan adopted pursuant to law or regulation (to the extent that sources of water other than the Town of Pine Level are not available or feasible to use).

4. Water used by public gardens of national, state, or regional significance where necessary to preserve specimens, to the extent sources other than Town of Pine Level are not available or feasible to use.

OPERATION AND FILLING SWIMMING POOLS:

EXCEPTIONS: Health care facility pools used for patient care and rehabilitation.
Municipal Pools.

WASHING OF MOTOR VEHICLES: Automobiles, trucks, boats, and trailers.

EXCEPTIONS: Commercial car and truck washes.

SERVING WATER IN RESTAURANTS, CLUBS, OR EATING ESTABLISHMENTS.

EXCEPTIONS: Specific request by customer.

FIRE HYDRANTS: Any purpose including the use of sprinkler caps, testing of fire equipment and fire department drills.

EXCEPTIONS:

Fire-fighting.

Health protection purposes if specifically approved by the health officials of Johnston County.

Testing and drills by fire departments, if in the interest of public safety and approved by the Town of Pine Level.

HYDRANT AND SANITARY SEWER FLUSHING:

EXCEPTIONS: As needed to ensure public safety with the approval of health officials and the Town of Pine Level.

SECTION III. DECLARATION OF A WATER SHORTAGE ADVISORY

In the event the PLPWS determines a potential shortage of water supply is indicated, such that adequate potable water supplies cannot be maintained, whether the shortage is caused by drought, mechanical failure, limitations of the water treatment facilities, the Mayor of the TOPL shall be empowered to declare a "WATER SHORTAGE ADVISORY". The PLPWS shall monitor the supply and demands on the system on a daily basis. The PLPWS shall call upon all water customers of the Town of Pine Level to employ voluntary water conservation measures to limit water use (especially Class 3 users) and to eliminate waste of water. The "Declaration of a Water Shortage Advisory and Statement" by the Mayor of the TOPL shall be published in newspaper of general circulation in Johnston County, or may be publicized by any other appropriate method.

SECTION IV. DECLARATION OF A WATER SHORTAGE ALERT

In the event the PLPWS determines the raw water supply is below the level necessary to meet normal demands and if the supply continues to decline such that there may not be sufficient water supply to meet normal demands and/or there are water treatment facility limitations which cannot provide adequate supplies of potable water, the Mayor of the TOPL shall be empowered to declare a "Water Shortage Alert".

The PLPWS shall continue to encourage voluntary water conservation measures as defined in the "Advisory" declaration.

The Mayor of the TOPL shall impose a ban on all Class 3 water uses for the duration of the shortage until the water shortage has ended as advised by the PLPWS.

SECTION V. DECLARATION OF A WATER SHORTAGE EMERGENCY

In the event the PLPWS determines the raw water supply is below the level necessary to meet normal demands and serious shortages exist and/or there are water treatment facility limitations which cannot provide adequate supplies of potable water, the Mayor of TOPL shall be empowered to declare a "Water Shortage Emergency". "Class 1" Essential uses shall be targeted for voluntary conservation initiatives. "Class 2" Socially or Economically Important uses shall be banned in addition to the "Class 3" Non-essential uses. These restrictions shall be enforced until the emergency is declared ended by the PLPWS.

SECTION VI. MANDATORY WATER CONSERVATION

1. The Mayor of the TOPL is hereby authorized to impose mandatory water restrictions, as described below, on the usage of water obtained directly or indirectly from the water distribution system of the Town of Pine Level by declaring a "Water Distribution Crisis". This declaration shall be based on written recommendations from the PLPWS, that conditions exist such that a water shortage is imminent. These restrictions may be imposed by the Mayor of the TOPL after consideration of all of the following factors:

- A.** Water pressure at monitoring locations of the Town of Pine Level water distribution system.
- B.** Ability to fill elevated water tanks of the Town of Pine Level water distribution system and/or bulk user tanks.
- C.** Ability to maintain an amount of water in the ground level storage tanks located at the water treatment plant which is adequate for more protection purposes and to maintain potable water treatment standards.
- D.** Ability to maintain minimum water pressure standards in the entire Town of Pine Level water distribution system.

2. A "Water Distribution Crisis" may be implemented by the Mayor of the TOPL by signing a "Notice of Declared Water Distribution Crisis". The notice shall be in effect

beginning with the date and time specified in the notice and the restrictions imposed shall apply during the times specified in the notice.

3. During a "Declared Water Distribution Crisis", each of the following uses of water, obtained directly or indirectly from the Town of Pine Level water distribution system, are prohibited during the time specified in the "Notice of a Declared Water Distribution Crisis".
 - A. Watering of any grass, lawn, shrubbery, flowers or other vegetation; provided; however, any person or entity regularly engaged in the business of the sale of plants will be permitted, with approval from the Town of Pine Level, to water plants grown for sale.
 - B. Filling, refilling, or otherwise adding water to any swimming pool.
 - C. Washing, rinsing, or cleaning an exterior wall, floor, or paved areas.
 - D. Washing, rinsing, or cleaning any automobile, truck, van, motorcycle or other motor vehicles or trailer, provided however, that any person or entity engaged in the business of washing vehicles will be permitted, with approval from the Town of Pine Level, to continue this activity.
4.
 - A. The Mayor of the TOPL may impose the restrictions in Paragraph 3 above at all times or during such limited times as the PLPWS and the Mayor of the TOPL determine to be appropriate. The restricted hours will be set forth in the "Notice of Water Distribution Crisis."
 - B. The Mayor of the Town of Pine Level may modify the times of restricted water use by signing an "Amended Notice of a Declaration of Water Distribution Crisis."
 - C. Restrictions on water use will be determined by the Mayor of the TOPL by signing a "Notice of Termination of Declared Water Distribution Crisis."
 - D. All restrictions and/or terminated restrictions shall be posted in the Pine Level Town Hall and/ or other designated places required by law or by the Pine Level Board of Commissioners. All notices cannot be enforced or terminated for a period of twelve (12) hours after posting.
 - E. All notices shall state the time and date of the posting.
 - F. The terms "Mayor of the TOPL and PLPWS" are to be constructed to include that actual person or their designee.

SECTION VII. SHORTAGE WATER RATES

Upon the declaration of a water supply shortage as provided in Sections 3, 4, 5, & 6, the Mayor of the TOPL shall have the authority to adopt shortage water rates designed to conserve water supplies. Such rates may provide for:

1. Increasing Block Rates — higher charges per unit for increasing usage.
2. Uniform Unit Rates — uniform charges for water usage per unit of use.
3. Excess Demand Surcharge — charges for use in excess of a specific level.
4. Good Citizen Rate — discounts for conserving water beyond specified levels.

SECTION VIII. ENFORCEMENT

1. The direct or indirect use of water from the Town of Pine Level distribution system in violation of this ordinance is prohibited. Any water customer of the Town of Pine Level distribution system, direct or indirect, that violates or permits the violation of these Rules and Regulations shall be subject to the following penalties:

Size of Service Connection	Penalty
3/4 inch	\$ 30.00
1 inch	40.00
1.5 inch	50.00
2 inch	60.00
4 inch	80.00
6 inch	100.00

2. Each violation shall be added to the customers water bill and paid in the same manner as current payments to the Town of Pine Level.
3. Each day a violation occurs shall be considered a separate violation.
4. The PLPWS shall be responsible for enforcing any restrictions imposed by this ordinance. If a violation is known to have occurred pursuant to this ordinance, a written violation shall be affixed to the property where the violation occurred and mailed to the customer of record and any other person known to the PLPWS who is responsible for the violation and its correction. The written notice shall describe the violation and order immediate compliance with the restrictions within a specified time as determined reasonable by the PLPWS under the circumstances.
5. If a violation notice is not complied with, or if violation fees for previous violations are not paid, the PLPWS may restrict or terminate water service subject to the following procedures:
 - A. The PLPWS shall give the customer notice by mail or by a law enforcement officer that due to reoccurring violations or failure to pay for previous violations, the water services will be restricted or terminated within a specific time. The customer will have an opportunity to appeal restriction or termination by requesting a hearing before an official designated as a hearing

officer by the Mayor of the TOPL. The request for the hearing shall be made before the cut-off date. A prompt conference with the hearing officer will be held.

B. If a hearing is requested by the customer charged with the violation, they will be given the opportunity to be heard before service is restricted or terminated.

C. The hearing officer, after hearing evidence presented, shall order the water service continued, restricted, or terminated. The customer may appeal the hearing officer's decision to the Mayor of the TOPL. The Mayor of the TOPL shall make findings of fact and overrule or sustain the hearing officer's ruling.

D. Any customer charged with the violation of this ordinance may appeal the finding of the Town hearing officer or the Mayor of the TOPL to the North Carolina Court System.

6. A fee of \$50.00 shall be paid for the reconnection of any water service restricted or terminated pursuant to subsection 5 of Section VIII. In the event of multiple violations, the reconnection fee shall be \$100.00 for the second violation and \$150.00 for each additional violation.