

## RESOLUTION #725

### RESOLUTION ADOPTING DENISON MUNICIPAL UTILITIES WATER CONSERVATION PLAN

#### SECTION 1: PURPOSE

From time to time during drought conditions, significant fire protection requirements or equipment failure, Denison Municipal Utilities (DMU) water supply may become significantly and seriously depleted so that there will not then be a sufficient supply of water to meet all customary and usual demands.

Under these conditions, the DMU Board of Trustees may find, and declare, a public Water Watch, Water Warning or Water Emergency, during which time the following measures and provisions shall be in effect to produce an orderly and equitable reduction of water consumption until the Board of Trustees finds and declares the water shortage condition to be ended.

#### SECTION 2: CONDITIONS

A. Water Watch - A Water Watch may be declared when a water shortage or equipment failure poses a potential threat to the ability of the water system to meet the needs of its customers currently or in the foreseeable future. Indicators of the need to impose a water watch include: system operating at 75 percent of pumping capacity; moderate decrease in the pumping water level of wells or moderate decrease in recovery rate of water level in wells.

B. Water Warning - A Water Warning may be declared when a water shortage or equipment failure poses a serious threat to the ability of the water system to meet the needs of its customers currently and in the foreseeable future. Indicators of the need to impose a water warning include: system operating at 85 percent of pumping capacity; significant decrease in the pumping water level of wells, significant decrease in recovery rate of water level in wells or severe system emergencies such as a chemical spill or major system failure in feeder mains or treatment plant.

C. Water Emergency - A Water Emergency may be declared when a water shortage or equipment failure poses a severe and immediate threat to the ability of the water system to meet the needs of its customers. Indicators of the need to impose a Water Emergency include: system operating at 95 percent of pumping capacity; serious decrease in the pumping water level of wells or serious decrease in recovery rate of water level in wells.

#### SECTION 3: WATER WATCH

Under a Water Watch, all customers of the municipal water service are encouraged to limit or curtail all nonessential uses of water in order to conserve precious water resources during the time of shortage. Customers are encouraged to comply with the following standards:

1. No watering of lawns, shrubs or gardens between the hours of 8:00 a.m. and 8:00 p.m.
2. No water should be used to fill private swimming pools, children's wading pools, reflecting pools or any other outdoor pool or pond.
3. No water should be used for nonessential cleaning of commercial and industrial equipment, machinery and interior spaces.
4. No water shall be used to wash streets, parking lots, driveways, sidewalks or building exteriors.
5. Water should be served at restaurants only upon the request of the customer.

#### **SECTION 4: WATER WATCH PENALTIES**

The following penalties shall apply for violations of Water Watch use restrictions imposed under this plan.

1. For a first violation, the utility shall issue a written notice of violation to the water user violating the water use restrictions imposed during a Water Watch.
2. For any subsequent violations within a 12 month period, a \$20 surcharge shall be imposed on the customer's water bill.

#### **SECTION 5: WATER WARNING**

Under a Water Warning, no person shall use potable processed water of the municipal water service in any manner contrary to the following:

1. All outside water use, except for domestic, sanitation, and fire, is prohibited.
2. All commercial and industrial uses of water not essential in providing products or services are prohibited.
3. Irrigation of agricultural crops is prohibited.
4. Recreational and leisure water use, including lawn and golf course watering and other incidental or recreational use, is prohibited.
5. Water use not necessary for the preservation of life or the general welfare of the community is prohibited.
6. No water shall be used to fill private swimming pools, children's wading pools or any other outdoor pool or pond.
7. Car washing is prohibited except in commercial establishments that provide that service.
8. No water shall be used to wash streets, parking lots, driveways, sidewalks or building exteriors.
9. No water shall be used for nonessential cleaning of commercial and industrial equipment, machinery and interior spaces.
10. Water shall be served at restaurants only upon the request of the customer.
11. Tank load water sales may be curtailed or eliminated.

Water reclaimed or recycled after some primary use, such as water that has been used for washing or cooling, may be used without restriction. Additionally, water derived from sources other than the city water utility, such as water condensed from the atmosphere by air conditioners or collected from rain or snow, may be used without restriction.

#### **SECTION 6: WATER WARNING PENALTIES**

The following penalties shall apply for violations of Water Warning use restrictions imposed under this plan.

1. For a first violation, the utility shall issue a written notice of violation to the water user violating the water use restrictions imposed during a Water Warning.
2. For a second violation within a 12 month period, a \$35 surcharge shall be imposed on the customer's subsequent water bill.
3. For any subsequent violations within a 12 month period, a \$35 surcharge shall be imposed on the customer's water bill and, in addition, DMU shall disconnect water service to the customer. Service will not be restored until the surcharge has been paid and the customer has reasonably assured DMU that future violations will not occur.

#### **SECTION 7: WATER EMERGENCY**

Under a Water Emergency, all Water Warning Use Restrictions will be in effect and, in addition, each customer will be afforded a monthly base allocation of water.

1. The base allocation of water for residential use shall be 3,000 gallons per billing period.
2. The base allocation of water for commercial or industrial use shall be established by mutual agreement based on factors appropriate to the individual customer; such as usage, production, service and occupancy data provided by the customer.

Water reclaimed or recycled after some primary use, such as water that has been used for washing or cooling, may be used without restriction. Additionally, water derived from sources other than the city water utility, such as water condensed from the atmosphere by air conditioners or collected from rain or snow, may be used without restriction.

#### **SECTION 7: WATER EMERGENCY PENALTIES**

The following penalties shall apply for violations of Water Emergency use restrictions imposed under this plan.

1. For a first violation, the utility shall issue a written notice of violation to the customer violating the water use restrictions imposed during a Water Emergency.
2. For a second violation, the utility shall issue a second written notice of violation and, in addition, DMU shall disconnect water service to the customer violating the water use restrictions imposed during a Water Emergency. Service will not be restored until the customer has reasonably assured DMU that future violations will not occur.

#### **SECTION 7: APPEALS AND ADJUSTMENTS**

Any person may file an appeal with the DMU General Manager to hear customer opposition to penalties/disconnections or to adjust the base allocation amount. Final adjustment to appellant may be granted based upon the following criteria:

1. Firm and convincing evidence of actual compliance to the Water Conservation Plan.
2. For single-family residential use, the base allocation may be increased by 1,000 gallons per person per billing period for all individuals residing at the appellant's residence for a period of more than thirty (30) days.
3. For commercial, industrial, institutional or other residential uses, the base allocation may be increased based on factors appropriate to the individual customer; such as usage, production, service and occupancy data provided by the customer.

Adopted by the Board of Trustees this 20<sup>th</sup> day of February, 2013.

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Brad Nelson, Chairman

ATTEST:

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Renee Vary, Secretary