

## **1 Authority**

- 1.1 The authority to impose regulations to restrict the use of water provided via the public water supply system shall be expressly reserved and may be amended from time to time, as necessary, by the [mayor/president and city council/village board of trustees].

## **2 Purpose**

- 2.1 This article establishes a [city/village] water use restriction ordinance.

## **3 Declaration of Policy**

- 3.1 In the event that the Illinois American Water Company (IAWC) District Manager notifies the [city/village] regarding a period of high usage, water shortage, or water emergency, the [city/village] shall take measures appropriate to efficiently safeguard the safety and health of the general public or to provide for the public convenience. The use of public water supply system water in the [city/village], or in any portion thereof, for irrigation, cooling, watering or other uses may be forbidden, restricted, or regulated and such regulations may be made effective as to all persons using the public water supply system water or as to particular classes of public water supply system users. Rationing may be imposed to address an imminent or actual public water supply disruption or shortage, either in lieu of or in addition to other measures hereby authorized.

## **4 Definitions**

Drip Irrigation System: an irrigation system that saves water by allowing water to drip slowly to the roots of plants, either onto the soil surface or directly onto the root zone. Such systems include but are not limited to soaker hoses.

Even Number Address: a street address ending in 0, 2, 4, 6, 8 or a letter 'A' – 'M', or a location without an address.

Handheld Watering Device: A means of watering that requires the watering device to be held in order to operate, including watering cans, buckets, and hoses equipped with a spray nozzle and an automatic shut-off valve. Such a hose is a handheld watering device provided it is continuously attended.

Harvested Rainwater: water accumulated and stored during times of precipitation, such as through rain barrels and cistern systems, which is prevented from entering the storm water treatment system, and is redirected for reuse onsite.

High Usage: period of time during which public water system demand or public water system supply equals or exceeds public water system treatment production capacity and potentially threatens system storage capacity and the continued availability of water for human consumption, sanitation and/or fire protection.

Landscape: The area of the property planted with vegetation other than grass.

Lawn: The area of the property planted with grass.

Lawn Sprinkler: A device attached to a hose designed to allow for the unattended watering of lawns or landscaping, but does not include a drip irrigation system.

Lawn Watering: Any means or methods of applying water to a lawn.

Non-Essential Water Uses:

- washing down sidewalks, walkways, driveways, parking lots, tennis courts, or other hard surface areas
- washing down buildings or structures for purposes other than immediate fire protection
- flushing gutters or permitting water to run or accumulate in any gutter or street
- washing any motor bike, motor vehicle, boat, trailer, airplane or other vehicle, except for public emergency vehicles
- maintaining fountains, reflection ponds, and decorative water bodies for aesthetic or scenic purposes
- filling or maintaining fill levels in public or private swimming and wading pools
- watering lawns, plants, trees, and other flora on private or public property, except as otherwise provided under the ordinance
- serving water routinely in restaurants
- increasing water levels in scenic and recreational ponds and lakes
- irrigating golf courses except greens, tees, and fairways
- obtaining water from hydrants for any purpose other than firefighting

Odd Number Address: a street address ending in 1, 3, 5, 7, 9 or a letter 'N' - 'Z'.

Person: any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents, or assigns.

## 5 Application of Regulations

- 5.1 The provisions of this ordinance shall apply to any person using water within [city/village], and
- a) the property is supplied by [city/village]'s public water supply system, regardless of whether the property is located within the municipal boundaries of [city/village]; and
  - b) the property is located within the specific area identified in the Alert or Declaration.
- 5.2 Emergency service providers in the act of providing emergency service shall be exempt from provisions of this ordinance.

## 6 Declaration of Water Use Restrictions, Implementation, and Termination

- 6.1 Upon receiving notification from the IAWC District Manager, or designee, explaining the justifiable need for a Level 1 Voluntary Water Use Restriction Alert, Level 2 Mandatory Water Use Restriction Declaration, or Level 3 Emergency Water Use Restriction Declaration, and within 24 hours or on the next business day, the [city manager/village administrator/ mayor/president], or any designee, shall:
- a) declare or rescind a Level 1 Voluntary Water Use Restriction Alert; or
  - b) recommend to the [mayor and city council/village board of trustees] that:
    - i. a Level 2 Mandatory Water Use Restriction Declaration or Level 3 Emergency Water Use Restriction Declaration be declared or rescinded; or
    - ii. a change to or from a Level 2 Mandatory Water Use Restriction Declaration or Level 3 Emergency Water Use Restriction Declaration is declared.
- 6.2 Upon the declaration of, or upon the rescinding of, a Level 1 Voluntary Water Use Restriction Alert, Level 2 Mandatory Water Use Restriction Declaration, or Level 3 Emergency Water Use Restriction Declaration, the [city manager/village administrator/ mayor/president], or any designee, shall take actions necessary to notify all public water supply users and the general public of the appropriate response actions and practices, including, but not limited to, notifying broadcast media outlets and emergency alert messaging systems as appropriate.

6.3 Mandatory water use restriction provisions shall take effect immediately upon the issuance of public notification of a Level 2 Mandatory Water Use Restriction Declaration, or Level 3 Emergency Water Use Restriction Declaration.

## 7 Water Use Restrictions

7.1 The [city/village] establishes three levels of water use restrictions to address an imminent or actual public water supply disruption or shortage, as indicated in Table 7.1. The water use restriction levels are based on IAWC Champaign District measurements of water supply, water demand, and water system conditions, such as days of remaining storage, water demand as a percent of supply, or water quality indicators.

Table 7.1 Description of Water Use Restriction Levels

Level 1 Voluntary	Conditions indicate potential for public water supply shortages. Voluntary water conservation is encouraged.
Level 2 Mandatory	Water supplies are measurably lower than the seasonal norm and are diminishing. Mandatory restriction measures are imposed.
Level 3 Emergency	The public water supply system is experiencing a water shortage and treated water supply is clearly inadequate. More stringent restriction measures must be imposed.

### 7.2 Level 1 Voluntary Water Use Restriction Alert

7.2.1 During a Level 1 Voluntary Water Use Restriction Alert, the following voluntary actions by all persons (residential, institutional, commercial, and industrial) are recommended, but not mandated:

- a) Stop non-essential water uses.
- b) Use rain barrels to collect and store water from roof drains, and use this water for garden irrigation and lawn irrigation.
- c) If watering a lawn, set timers to run the system before 10:00 a.m. or after 5:00 p.m. to reduce water loss through evaporation during the heat of the day.
- d) Use drip irrigation hoses to water garden plants and landscape plants, trees, and shrubs at the roots.
- e) Install water- and energy-efficient appliances.

- f) Wash dishes and clothes only when appliance is full.
- g) Regularly check and repair toilets, faucets, water pipes, and outdoor hoses for leaks.

### 7.3 Level 2 Mandatory Water Use Restriction Measures

7.3.1 During a Level 2 Mandatory Water Use Restriction Declaration, all persons (residential, institutional, commercial, and industrial) shall adhere to the following required public water supply system water use restrictions:

- a) All persons shall cease non-essential water uses.
- b) All persons shall adhere to the following schedule if a lawn is to be watered:
  - i. All properties with an even-number address may use water for lawn watering only on even numbered calendar dates between the hours of 6:00 a.m. and 9:00 a.m. or between the hours of 6:00 p.m. and 9:00 p.m.
  - ii. All properties with an odd-number address may use water for lawn watering only on odd numbered calendar dates between the hours of 6:00 a.m. and 9:00 a.m. or between the hours of 6:00 p.m. and 9:00 p.m.

7.3.2 During a Level 2 Mandatory Water Use Restriction Declaration, there shall be no restrictions as to hours or days when water may be used for any of the following:

- a) the watering of sod on the initial day of sod installation;
- b) lawn watering where such watering is done using harvested rainwater;
- c) the watering of landscape, such as trees, shrubs, flowers and gardens, with a handheld hose not larger than one-inch diameter or by means of an automatic root feed or drip irrigation system;
- d) lawn watering where such watering is done with the proper, attended use of a handheld watering device;
- e) vehicle or equipment washing, provided that all water hoses in use are equipped with an automatic shutoff valve or spray nozzle which shuts off automatically; or

- f) any other lawful use of water such as bathing, clothes washing, or other normal household uses not otherwise specifically restricted by the provisions of this section.

#### 7.4 Level 3 Emergency Water Use Restriction Measures

7.4.1 During a Level 3 Emergency Water Use Restriction Declaration, all persons (residential, institutional, commercial, and industrial) shall adhere to the following required public water supply system water use restrictions:

- a) All persons shall cease non-essential water uses.
- b) The use of automatic water sprinklers and other remote water broadcast devices shall be prohibited.
- c) The use of aesthetic fountains that do not operate on recycled water shall be prohibited.
- d) Persons shall be prohibited from using public supply water to fill swimming pools, water slides that do not recycle, or for other related recreational water consuming activities.

### 8 Variance

8.1 A person may request a variance from a mandatory Level 2 or Level 3 water use restriction requirement from the [\[public works director/ village administrator/ mayor/president\]](#), or designee, on a form provided for that purpose within seven days after such restriction becomes effective, provided that compliance with such mandatory water use restriction would result in serious health, safety, or economic hardship to that person.

8.2 In order for a variance to be granted, the petitioner must show one of more of the following conditions:

- a) Compliance with the ordinance cannot be technically accomplished within the duration of the water use restriction declaration.
- b) Alternate methods can be implemented which will achieve the same level of reduction in water use.

- 8.3 The [public works director/ village administrator/mayor/president] may, in writing, grant temporary variances for existing water uses otherwise prohibited under the ordinance if it is determined that failure to grant such variances would cause an emergency condition adversely affecting health, sanitation, or fire protection for the public or the petitioner and if one or more aforementioned conditions Subsection 8.2 is met. Any such variance so ratified may be revoked by later action of the [public works director/ village administrator/mayor/president].
- 8.4 Any such variance denied by the [public works director/ village administrator/ mayor/president] can be appealed to the [hearing officer/village board of trustees] at a public hearing.
- a) No such variance shall be retroactive or otherwise justify any violation of this ordinance occurring prior to the issuance of the variance.
  - b) A fee of \$50 shall be paid to the [city/village] to offset costs of providing notice of the public hearing.
  - c) A variance granted by the [hearing officer/village board of trustees] shall be subject to the following conditions, unless waived or modified by the [hearing officer/village board of trustees]:
    - i. Variances granted shall include a timetable for compliance.
    - ii. Variances granted shall expire when the water use restriction declaration has been rescinded, unless the petitioner has filed to meet specified requirements.

## **9 Violation and Penalty**

- 9.1 It shall be the duty of the [public works director/ village administrator/mayor/ president], or designee, to investigate violations of the mandatory restrictions and to issue and post a Notice of Violation consistent with the purpose and intent of this subchapter.
- 9.2 Any person who violates, disobeys, neglects, fails to comply with, or resists enforcement of the mandatory provisions of this ordinance shall, within 10 days of receiving a Notice of Violation, as indicated in Section 9.1 above, be subject to the following administrative penalties:

First violation	\$50.00 per occurrence
Second violation	\$100.00 per occurrence
Third violation	\$200.00 per occurrence

9.3 Each day upon which there is a violation shall be deemed to be a separate occurrence. Payment of said administrative penalty shall be made to the [city/village] within 10 days of receipt of the Notice of Violation.

**10 Severability**

In the event that any portion of this ordinance is held to be unconstitutional for any reason, the remaining portions of the ordinance shall not be affected. The provisions of this ordinance shall prevail and control in the event of any inconsistency between this ordinance and other rules and regulations of the [city/village] and/or State of Illinois.