

At a regular meeting of the Council of the Town of Parksley, Virginia, held on the 2 day of September, 1980, at which the Mayor and five members of the Council were present, the following ordinance was duly adopted:

AYES: F. Samuel Belote, Jr., Richard A. Reid, Carlton Littleton, Paul C. Mears and Constance A. Taylor

NAYS: None

AN ORDINANCE AUTHORIZING THE MAYOR
TO TAKE SPECIAL MEASURES
OF PRUDENT MANAGEMENT WHEN A WATER SHORTAGE EXISTS

WHEREAS, during the continued existence of climatic and other extraordinary conditions the protection of the health, safety and welfare of the residents of the Town of Parksley requires that certain uses of water, not essential to public health, safety and welfare, be reduced, restricted or curtailed, and

WHEREAS, when the condition of said shortage of portable water becomes increasingly more critical, conservation measures to further reduce consumption or curtail essential water use may be required: now, therefore,

BE IT ORDAINED by the Council of the Town of Parksley as follows:

Section 1. The Council finds that there exists at the present time and may exist from time to time in the future an immediate potential for a shortage of potable water in the Town's water system and increasingly more restrictive conservation measures are required to prevent a crucial water shortage.

Section 2. The mayor is hereby authorized and directed to implement conservation measures by ordering the restricted use or absolute curtailment of the water for certain nonessential purposes for the duration of the water shortage or any such shortage in the future in the manner hereinafter set out. In exercising this authority and making the determination set forth in Section 4 of this ordinance, the Mayor shall give due consideration to: Water levels, available storage on hand, rates of use; supply capacity, rate of usage and projected supplies of wells in the water system; system purification and pumping capacity; daily water consumption and consumption projections of the system's customers; prevailing and forecasted weather conditions; fire service requirements; pipeline conditions including breakages, stoppages and leaks; supplementary water supplies; estimates of minimum essential supplies to preserve public health and safety and such other pertinent information for the past, current and projected water demands.

Section 3. The provisions of this ordinance shall not apply to any governmental activity, institution, business or industry which shall be declared by the Mayor, upon a proper showing, to be necessary for the public health, safety and welfare, or the prevention of severe economic hardship or the substantial loss of employment. Any activity, institution, business or industry aggrieved by the findings of the Mayor may appeal his decision to the Town Council.

Section 4. Upon a determination by the Mayor of existence of the following conditions, the Mayor shall take the following actions:

(a.) Condition 1: When moderate but limited supplies of water are available, the Mayor shall, through appropriate means, call upon the general population to employ prudent restraint in water usage, and conserve water voluntarily by whatever methods are available.

(b.) Condition 2: When very limited supplies of water are available, the Mayor shall order curtailment of less essential usages of water, including, but not limited to, one or more of the following:

1. The watering of shrubbery, trees, lawns, grass, plants or any other vegetation, except indoor plantings, greenhouse or nursery stocks and except watering of freshly planted plants upon planting and once a week for five weeks following planting:
2. The washing of automobiles, trucks, trailers, boats, airplanes or any other type of equipment, excepting facilities operating with a water recycling system; provided, that any facility operating with a water recycling system shall prominently display in public view a notice stating that such recycling system is in operation. In lieu of the provisions hereof, the Mayor may curtail the hours of operation of commercial enterprises offering such services or washing their own equipment.
3. The washing of streets, driveways, parking lots service stations aprons, office buildings, exteriors of homes or apartments or other outdoor surfaces.
4. The operation of any ornamental fountain or other structure making a similar use of water without water recycling system.
5. The filling of swimming or wading pools or the refilling of swimming or wading pools which were drained after the effective date of the order.
6. The use of water from fire hydrants for any purpose other than fire suppression or other public emergency.

(c) Condition 3. When critically limited supplies of water are available, the Mayor shall institute mandatory reductions as follows:

1. Industrial, institutional, commercial, governmental, wholesale and all other nonresidential customers shall be allotted a percentage reduction based on that customer's average monthly or quarterly previous calendar year's consumption. If the allotted monthly or quarterly water usage is exceeded, the customer shall be charged \$10.00 for every 100 gallons of water consumed above the allotted volume. Where prior consumption data is not available, the Mayor shall estimate allocations based upon the data available from similar activities.

(d) Condition 4. When only emergency supplies of water are available, the Mayor shall restrict the use of water to purposes which are absolutely essential for life, health and safety.

Section 5. Any violator of any of the provisions of this ordinance shall, upon conviction thereof, in addition to any applicable civil penalties, be fined not less than \$25.00 nor more than \$500.00. Each day's continuance of a violation shall be considered a separate offense. In addition to the foregoing provisions and penalties, the Mayor may suspend water services to any violator of this ordinance.

Section 6. The Mayor shall notify the Council when, in this opinion, the water shortage is over, and the necessity for the implementation of this ordinance no longer exists.

Section 7. This ordinance shall be in effect from and after the date of its adoption.

Arthur K. Fisher
Arthur K. Fisher, Mayor

Leone M. Drummond
Leone M. Drummond, Clerk

