

## **WATER SHORTAGE RESPONSE PLAN**

### **ISSUANCE OF WATER SHORTAGE PROCLAMATION**

In the event of an existing or threatening state of emergency endangering the safety, health or welfare of the people of the Village of Bald Head Island, or threatening damage or destruction of property, arising from the shortage or threatened shortage of water, the Council is hereby authorized and empowered to issue a proclamation declaring the existence of such state of emergency, and to define and impose such appropriate prohibitions and restrictions resulting from the water shortage applicable to all persons within the jurisdiction of the Village of Bald Head Island “Village” in order to meet the urgency of the predetermined state of emergency.

### **CONDITIONS DEEMED EMERGENCY**

A state of emergency shall be deemed to exist whenever, in the opinion of the Council, the availability and supply of water for the Village of Bald Head Island is critical. This critical state could be based on but not limited to the following.

- Recommendation from the Governor and/or Drought Management Advisory Council of North Carolina.
- The availability of water from Brunswick County
- Mechanical malfunction of the distribution system
- Rapid drawdown of the Village water supply (aquifer)
- Salt water intrusion
- Any cause to threaten the availability of water for human consumption, firefighting and protection of lives and property

### **RESTRICTIONS, LIMITATIONS IMPOSED**

(A) The Mayor is hereby authorized and empowered to issue a proclamation declaring to all persons the existence of such state of emergency.

(B) Such proclamation may specify the authorized uses of water within the Village, and may place limitations, prohibitions and restrictions upon any usage of water within the Village of Bald Head Island. Such proclamation may limit the use of water for non-essential uses such as the watering of lawns, washing carts, boats, and similar activities and may be expanded thereafter to include other activities. Specifically exempted from restrictions are those activities by the Village Utilities Department deemed necessary to maintain water quality to required standards. The proclamation will use predetermined phases of water restrictions.

### **PROCLAMATION, RESTRICTIONS, AND THE LIKE SHALL BE WRITTEN**

Upon the declaration of a proclaimed state of emergency arising from the availability or shortage of water, such proclamation and all restrictions, prohibitions, and limitations on the use of water shall be in writing and duly signed by the Mayor or any person authorized to act in his or her stead. All restrictions, prohibitions, and limitations upon the use of water during the proclaimed slate of emergency shall he specifically described and identified so that everyone on or associated within the Village of Bald Head Island shall have available the specific activities

authorized and the specific activities prohibited.

## **END OF EMERGENCY; LIFTING OR MODIFICATION OF RESTRICTIONS**

The Mayor shall proclaim the end of such state of emergency and shall have the authority to modify or suspend any restrictions, limitations or prohibitions stated in such proclamation of emergency as soon as the circumstances warrant.

## **PHASES OF CONSERVATION MEASURES IN RESPONSE TO WATER SHORTAGE**

The Mayor may initiate the following phases of water conservation measures to avoid or lessen the impact of a water shortage. The Mayor shall base his or her action upon a review of all factors that affect the Village water supply, including, but not limited to, current water supply, seasonal effect on water supply and current consumption rates. The Mayor or his or her designee may initiate one of three escalating phases of water conservation, which shall be effective upon being signed and posted on the Village web site and a copy placed with the Village Clerk. Such proclamation shall also be provided as a service announcement to media outlets.

**PHASE I (Voluntary Conservation).** In Phase I of water conservation, the Village shall publicize and encourage the public to voluntarily comply with the following water conservation measures:

- 1) Limit lawn watering to that which is necessary for the lawn to survive.
- 2) Water shrubbery the minimum amount required, reusing household water when possible.
- 3) Limit car and boat washing to the minimum.
- 4) Refrain from washing down outside areas such as sidewalks, patios, and the like.
- 5) Use showers for bathing rather than baths, and limit showers to no more than four minutes.
- 6) Refrain from leaving faucets running while shaving or while rinsing dishes.
- 7) Limit use of clothes washers and dishwashers and when used, operate fully loaded.
- 8) Install water-flow restrictive devices in showerheads.
- 9) Use disposable and biodegradable dishes.
- 10) Install water-saving devices such as bricks or commercial units in toilet tanks to reduce volume.
- 11) Ensure toilet flapper valves are not leaking. This flapper can be checked by adding a food coloring to the toilet tank and visually checking to see if the color appears in the bowl. If it does show color the toilet is leaking.

**PHASE II (Mandatory Conservation)** In Phase II of water conservation, the Village shall continue all recommendations of phase I and the following measures shall be mandatory:

- 1) Minimize all non-essential use of water
- 2) Watering of grass is prohibited.
- 3) Outdoor irrigation is prohibited, except for:
  - a) Maintaining newly installed landscapes not to exceed the minimum watering rate necessary on the day of installation and not to exceed 30 days. After 30 days the landscaping will be considered existing landscaping (see item #5). No

new planting allowed after Phase II mandatory conservation is issued.

- b) Watering golf course tees, fairways and greens by means of an automated irrigation system between the hours of 8:00 PM and 6:00 AM with less than one inch of water per week.
  - c) Erosion control project (permit required).
- 4) Maintaining personal food gardens not to exceed the minimum watering rate necessary.
  - 5) Maintaining existing landscape plantings at the minimum watering rate necessary, between the hours of 8:00 PM and 6:00 AM, using a hand held container or hose with automatic shutoff or using drip irrigation.
  - 6) Maintaining plant inventories, by means designed and operated to maximize water use efficiency, at retail garden centers.
  - 7) The use of water for washing or cleaning of equipment including carts, trucks, boats and fleet vehicles is prohibited unless water use is deemed essential to maintain the safe operational use or equipment integrity.
  - 8) The use of water for power washing of buildings and other structures is prohibited, except for paint prep only (permit required).
  - 9) The use of water from fire hydrants and hose bibs is prohibited, except for:
    - a) Fighting fire and fire protection purposes;
    - b) Testing or training fire fighters if it is necessary to protect public safety.
    - c) Jetting piles to facilitate construction.
    - d) Construction site hose bibs.
  - 10) The filling of family, public or private swimming pools, including hot tubs, spas and whirlpool tubs, is prohibited, except for the minimal amount of make-up water necessary to maintain a pools structural integrity and filtration system.

**PHASE III (Mandatory Conservation).** In Phase III of water conservation, all the provisions of phases I and II apply and, in addition, the following measures shall be mandatory.

- 1) No use of public or private water for other than essential purposes.
- 2) No watering of lawns, grass, shrubbery, trees, flowers or vegetable gardens, except for watering golf course tees and greens by means of an automated irrigation system between the hours of 8:00 PM and 6:00 AM with less than one inch of water per week.
- 3) No using water outside of structures for any use other than emergencies involving fire.
- 4) No introducing water into swimming pools.
- 5) No use of fire hydrants except for fighting fire.
- 6) All other uses of water will be limited to uses necessary to meet the essential health and safety needs of the people of Bald head Island.

## **PENALTY**

Violations; penalties.

- (a) Upon the violation of any provision of this chapter, the Village may enforce the chapter by criminal or civil proceedings, or by any other remedy provided for under U.S. 160A-175 and U.S. 14-4 or successor provisions or as otherwise specifically set forth in this chapter.

- (b) Written notice of a violation may be provided to the violator by personal service or first class mail. When first class mail is sent, receipt shall be deemed to occur on the third day after the date of the postmark.
- (c) Upon notification of a violation as provided for in subsection (b) of this section, each day's continuing violation shall be deemed a separate and distinct offense.
- (d) Upon the violation of any provision of this chapter, the violator shall be subject to a civil penalty in the sum of Five Hundred Dollars (\$500.00), to be recovered by the Village in a civil action in the nature of debt if the offender does not pay the penalty within five (5) business days after the violator has been cited for violation of this chapter.
- (e) In addition to the foregoing remedies, the provisions of this chapter may be enforced by the Village by injunctive relief or other appropriate equitable remedy issuing from a court of competent jurisdiction.
- (f) The provisions of this chapter may also be enforced by an order of abatement.
- (g) The criminal fine imposed for the violation of any provision of this chapter shall be Fifty Dollars (\$50.00) for the first violation and One Hundred Dollars (\$100.00) for each subsequent violation.