

# WEST SHELBY WATER DISTRICT

## WATER SHORTAGE RESPONSE PLAN

**Section 1. Purpose.** The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the West Shelby Water District in the event a shortage is declared.

**Section 2. Definitions.** These terms are applicable only for this Plan unless specifically noted.

- (a) **“Customer”** shall mean any person or entity using water for any purpose from the West Shelby Water District water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
- (b) **“Raw Water Supplies”** shall mean all water potentially available to persons in the West Shelby Water District.
- (c) **“Treated Water”** shall mean water that has been introduced by the West Shelby Water District into its water distribution system, including water offered for sale.
- (d) **“Base Entitlement”** shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.
- (e) **“Curtailed Entitlement”** shall mean the monthly usage for a customer after any curtailment percentage has been applied.
- (f) **“Curtailment”** shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.
- (g) Water Shortage Response Phases:  
**“Advisory”** shall mean that conditions exist which indicates the potential for serious raw or treated water supply shortages.

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BY: Stephan O. Bell  
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**“Alert”** shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

**“Emergency”** shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

- (h) **“Rationing”** shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

**Section 3. Water Use Classifications**

Different water uses are of differing levels of importance to the people of our District. Thus, conservation measures must necessarily be applied differently to different classes of water use, based on their importance to the community. The following table shows recommended response levels for each classification of water use. A list of water uses with suggested classification levels follows Table I.

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**TABLE 1**  
**Conservation Per Water Use Class**  
**According to Water Shortage Response Phase**

	<b>Advisory</b>	<b>Alert</b>	<b>Emergency</b>	<b>Rationing</b>
<b>Essential</b>	Voluntarily Conserved	Voluntarily Conserved	Voluntarily Conserved	<b>Restricted</b>
<b>Socially or Economically Important</b>	Voluntarily Conserved	Voluntarily Conserved	<b>Restricted</b>	<b>Restricted</b>
<b>Non-essential</b>	Voluntarily Conserved	<b>Restricted</b>	<b>Banned</b>	<b>Banned</b>

**Essential Water Uses (Class 1):**

The following uses of water, listed by site or user type, are essential.

**Domestic:**

- 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.

**Water Hauling:**

- sales for domestic use where not reasonably available elsewhere.

**Public Use:**

- firefighting,
- health and public protection purposes, as specifically approved by health officials and the municipal governing body.

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**Socially or Economically Important Uses of Water (Class 2):**

The following uses of water listed by site or user type, are socially or economically important.

**Domestic:**

- personal, in-house water use including kitchen, bathroom and laundry.

**Water Hauling:**

- non-domestic, when other sources are not reasonably available elsewhere.

**Commercial and Civic Use:**

- commercial car and truck washes,
- laundromats,
- restaurants, clubs and eating places,
- schools, churches, motels/hotels and similar commercial establishments.

**Outdoor Non-Commercial Watering:**

- minimal watering of vegetable gardens,
- minimal watering of trees where necessary for their survival.

**Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):**

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries where necessary to maintain stock,
- watering where necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,
- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

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operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

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**Air Conditioning:**

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials and the municipal governing body, where the system has been drained for health protection or repair services.

**Non-Essential (Class 3):**

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are also non-essential.

**Public Use:**

- use of fire hydrants (excluding Class I and Class II uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials and the municipal governing body.

**Commercial and Civic Use:**

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except as necessary to support fish and wildlife.

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**Ornamental Purposes:**

- fountains, reflecting pools and artificial waterfalls.

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**Outdoor Non-Commercial Watering:**

- use of water for dirt control or compaction,
- watering of annual or non-woody plants other than vegetable gardens,
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing 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.

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**Outdoor Commercial or Public Watering:**

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing 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.

**Recreational uses other than those specified as Class II.**

**Non-commercial washing of motor and other vehicles.**

**Air Conditioning (see also Class II purposes):**

- refilling cooling towers after draining.

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**Section 4. Applicability.** The provisions of this Plan shall apply to all retail and wholesale customers of the West Shelby Water District. When implemented, this Plan becomes the West Shelby Water District's Water Shortage Response Regulation.

**Section 5. Entitlements.** Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

**Section 6. Determination of Water Shortage.** Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. The Management of the West Shelby Water District shall determine when the system has a water shortage by maintaining overall water levels in storage tanks and current demand. Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the Commission of the West Shelby Water District. The Shelby County Fiscal Court shall give approval for the declaration to be made and approved by the West Shelby Water District Commission.

**Section 7. Term of Water Shortage Declaration.** Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by Management of the West Shelby Water District.

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**Section 8. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.**

**Advisory Stage:**

(1) **Criteria:** A water advisory shall be declared when there is less than 48 hours supply of treated water in storage, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the West Shelby Water District draws water. (Note: Additional conditions may be added based on local conditions.)

(2) **Conservation and Curtailment Measures:**

- (a) Declare a Water Shortage Advisory.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Request voluntary conservation of all non-essential (class 3) water use.
- (e) Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (class 3) water use.

**Alert Stage:**

(1) **Criteria:** A water alert shall be declared when there is less than 24 hours supply of treated water in storage. (Note: Additional conditions may be added based on local conditions.)

(2) **Conservation and Curtailment Measures:**

- (a) Declare Water Shortage Alert.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all non-essential (class 3) water uses.
- (e) Curtail entitlements to all customers by the same percentage as the projected shortage.

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- (f) Begin billing all customers water usage in excess of curtailed entitlement at the normal rate plus and excess usage charge of \$3.00 per 1,000 gallons.

**Emergency Stage:**

(1) **Criteria:** A Water Emergency shall be declared when there is less than 12 hours supply of treated water in storage, or there are periods of no water in one or more areas of the distribution system due to low water supply. (Note: Additional conditions may be added based on local conditions.)

(2) **Conservation and Curtailment Measures:**

- (a) Declare Water Shortage Emergency.
- (b) Provide proper notice to all customers and to local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 uses of water.
- (e) Prohibit all Class 2 uses of water, except Domestic uses for kitchens, bathrooms and laundries.
- (f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.
- (g) Curtail Residential entitlements by the same percentage as the projected shortage.
- (h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
- (i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess charge of \$7.00 per 1,000.

**Rationing Stage:**

(1) **Criteria:** Treated water available is greater than 40% below demand or there is little or no storage of treated water available. The level necessary to meet essential needs, and in the opinion of the West Shelby Water District mandatory rationing is required to insure adequate water is available to maintain public health and safety.

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**(2) Conservation and Curtailment Measures:**

- (a) Declare Water Shortage Rationing.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 and Class 2 uses of water.
- (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
- (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- (g) Implement service interruptions to portions of the system in accordance with approved published schedule. The schedule shall be provided to all local media.
- (h) Begin billing customer's water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of \$15.00 per 1,000 gallons.

**Section 9. Enforcement of Water Restriction.** Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

(a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within a specific time frame designated by the District.

(b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. This request shall be in writing and submitted within 24 hours of the notice. If the customer requests a hearing, he or she shall be given full opportunity to be heard before termination. The governing body

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shall make findings of fact and decide whether service should continue or terminate.

- (c) Any customer whose water service is terminate for violating provisions of this water curtailment plan shall be subject to a reconnection fee of \$50 prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

**Section 10. Request for Exception**

- (a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the West Shelby Water District for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition, which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.
- (b) Exception to curtailment surcharge: Exception to excess use charges shall not be considered or granted.

**Section 11. Severability.** If the courts declare any provision of this Plan invalid, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

**Section 12. Effective Date.** This Plan shall take effect immediately upon approval by the Public Service Commission.

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Approval of the Water Shortage Response Plan of the West Shelby  
Water District is given this 21<sup>st</sup> day of June 2001.

Robert Stratton

Robert Stratton, County Judge Executive  
Shelby County, Kentucky

6-21-01

Date

Ray Larnce

Ray Larnce, Chairman  
West Shelby Water District

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