

LOCAL WATER SHORTAGE RESPONSE PLAN

LARUE COUNTY WATER DISTRICT #1

An ordinance authorizing the declaration of a water shortage; establishing procedures and measures for the essential conservation of water resources; authorizing the issuance of administration regulations; and prescribing certain penalties.

Be it Enacted by The Larue County Water District #1. (Larue County Fiscal Court.)

Section 1. Purpose:

The purpose of this ordinance is to provide for the declaration of official phases of water supply shortage situations and the implementation of voluntary and mandatory water conservation measures throughout the district in the event a shortage is declared. Nothing in this ordinance shall be construed to interfere with common law riparian or statutory water rights.

Section 2. Definitions:

- (a) "Customer" as the term is used in this ordinance, shall mean any person using water for any purpose from the *Larue County Water District #1* 's 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) "Advisory" as the term is used in this ordinance, shall mean that conditions exist which indicate the potential for serious water supply shortages.
- (c) "Alert" as the term is used in this ordinance, shall mean that raw water supplies (i.e., streamflow, reservoir levels or groundwater levels) are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.
- (d) "Allotment" as the term is used in this ordinance, shall mean the maximum quantity of water allowed for each customer over any applicable period as established in the water rationing provisions of this ordinance.
- (e) "Emergency" as the term is used in this ordinance, shall mean that water supplies are below the level necessary to meet normal needs and that serious shortages exists in the area.

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SECTION 9 (1)

By 
Executive Director

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:

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

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.

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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 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 vegetation or landscape plantings required pursuant to law or regulation,
- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

Recreational:

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

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.

Outdoor Non-Commercial Watering:

- use of water for dirt control or compaction,
- watering of annual or no-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.

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 building 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 in Class II.

Non-Commercial washing of motor and other vehicles.

Section 3. Declaration of a Water Shortage Advisory. Whenever the governing body of the district finds that a potential shortage of treated water supplies is projected to be up to 15% above demand or there are periods of low water pressure in one or more areas of the distribution system.

Conservation and curtailment measures:

- declare a water shortage advisory
- provide proper notice to all customers and to local news media
- eliminate all water leaks
- request voluntary conservation of all non-essential (class 3) water use.

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Section 4: Declaration of a water shortage alert:

Whenever the governing body of Larue County Water District #1 and The LaRue County Fiscal Court finds treated supplies to be 10% above demand, and if they continue to decline and may not be adequate to meet normal needs.

Conservation and Curtailment Measures:

- **declare water shortage alert**
- **provide proper notice to all customers and local news media**
- **eliminate all water leaks**
- **prohibit all non-essential (class 3) water uses**
- **curtail entitlements to all customers by the same percentage as the projected shortage**
- **begin billing all customers water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$10.00 per thousand gallons.**

Section 5. Declarations of a Water Shortage Emergency:

Whenever the governing body of The LaRue County Water District #1 and The LaRue County Fiscal Court finds treated supplies to be up to 5% above demand, or there are periods of no water in one or more areas of the distribution system due to low water supply.

Conservation and Curtailment Measures:

- **declare a water shortage emergency**
- **provide proper notice to all customers and to all local news media**
- **prohibit all Class 3 uses of water**
- **prohibit all of Class II uses of water except domestic uses for kitchens, bathrooms, and laundries**
- **curtail all commercial and industrial use (except Health Care Facilities) by 100%**
- **curtail residential use by the same percentage as the projected shortage**
- **begin billing all customer water usage in excess of percentage of projected shortage at the normal rate plus an excess usage of \$20.00 per thousand gallons**

Section 6. Rationing Stage:

Treated water available is greater than 1% above demand. In the opinion of the General Manager, ~~mandatory rationing is required to maintain adequate water supplies for public health and safety~~ the following measures will be taken.

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Conservation and Curtailment Measures:

- declare a water shortage rationing
- provide proper notice to all customers and local media
- eliminate all water leaks
- prohibit all Class 3 and Class 2 uses of water
- curtail all commercial and industrial use (except Health Care Facilities) by 100%
- curtail all residential use by same percentage as projected shortage.
- Implement service interruption to portions of system with approved published schedule. The schedule will be provided to local media
- Begin billing customer water usage in excess of curtailment at the normal rate plus an excess usage charge of \$25.00 per thousand gallons.

Section 7. Enforcement of Water Restrictions:


Any person who fails to carry out the responsibilities imposed by this plan or interferes with any action or orders of this plan shall be subject to the following:

- If the utility official charged with enforcement of this plan learns of any violation of any water use, a written notice will be left at property where violation occurred, and mailed to customer. The notice shall state the violation and order that it be corrected immediately or within 48 hours.
- The notice will inform the customer of their right to appeal before the utilities manager. If a hearing is requested by the customer, they will be given the opportunity to be heard before the Board of Commissioners of the District. The Commissioners shall make findings of fact and decide whether service should continue or terminate.
- Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.

Section 8. Request for Exception:

- If curtailment described in this plan would cause a customer undo hardship that customer may apply the the LaRue County Water District #1 for an exception. For this purpose an extraordinary hardship shall be defined as a condition which may threaten the health or safety of said customer. The hardship must also prove to be substantially more severe than the sacrifices born by other users. If hardship is proven, then a written waiver of exception shall be granted and issued to the customer.
- exceptions to excess use charges shall not be considered or granted.
- Any person not in agreement by the decision may file a complaint with the Public Service Commission.

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Section 9. Effective Date:

This plan shall be in effect immediately upon approval by The Public Service Commission.

Section 10. Severability.

If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

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