

↻ ORDINANCE: WATER CONSERVATION ↻

**An Ordinance to Enact Front Royal Town Code
Section 134-81 Pertaining To Conservation of Water**

WHEREAS, § 15.2-924 of the Code of Virginia authorizes any locality to restrict the use of water for the duration of a water supply emergency; and

WHEREAS, after public hearing, the Town Council desires to amend § 134-81 of the Town Code to amend said Section pertaining to conservation and use of water.

NOW, THEREFORE, BE IT ENACTED by the Town Council of the Town of Front Royal, Virginia, pursuant to § 15.2-924 of the Code of Virginia (1950), as amended, and the Charter of the Town of Front Royal, that § 134-81 of the Front Royal Town Code is hereby amended and re-enacted as follows:

SECTION 134-81 CONSERVATION OF WATER.

A. DEFINITIONS; EQUATIONS.

1. Definitions. For the purpose of this Article, the following definitions shall apply:

~~MAF – Mean Annual Flow.~~

~~MGD – Million Gallons per Day.~~

~~CFS - Cubic Feet per Second.~~

~~2. The MAF of the South Fork of the Shenandoah River is one thousand thirty four and seven hundred fifty two thousandths (1,034.752) MGD or one thousand six hundred one (1,601) CFS.~~

~~3. Equations. For the purposes of this Article, the following equations shall apply:~~

~~30% MAF = 301 MGD or 480 CFS~~

~~17% MAF = 176 MGD or 272 CFS~~

~~15% MAF = 155 MGD or 240 CFS~~

~~13% MAF = 134 MGD or 208 CFS~~

B. VOLUNTARY WATER CONSERVATION.

Whenever the fourteen-day average stream flow of the South Fork of the Shenandoah River, measured from Point 0163100 (South Fork of the Shenandoah River at Front Royal: Latitude 384150; longitude 0781240), drops below 400 CFS thirty per cent (30%) of the MAF for fourteen (14) days, the Front Royal Town Manager shall declare voluntary water conservation measures to be in effect. The Town Manager, through appropriate means, shall inform the public to voluntarily conserve water. During periods of voluntary water conservation, all users of the Front Royal municipal water system are requested to cease the following:

1. The watering of shrubbery, trees, lawns, grass, plants, or any other vegetation from Town water supplies (except indoor plantings, greenhouse and commercial nursery stocks, and new plantings less than one year old) between the hours of 9:00 a.m. and 4:00 p.m.

2. The outdoor washing of automobiles, trucks, trailers, boats, airplanes, or other types of mobile equipment between the hours of 9:00 a.m. and 4:00 p.m., except from a bucket or other container not exceeding three (3) gallons or at a commercial vehicle wash facility.

3. The washing of private streets, driveways, parking lots, service station grounds, or other paved outdoor surfaces between the hours of 9:00 a.m. and 4:00 p.m.

4. The operation of any ornamental fountains, unless the water is recycled.

5. The filling of swimming and/or wading pools, except that filled pools may be topped off to maintain the appropriate levels for use.

6. Serving drinking water in restaurants, except on request.

C. MANDATORY WATER CONSERVATION.

Whenever the fourteen-day average stream flow of the South Fork of the Shenandoah River, measured from Point 01631000, drops below 340 CFS ~~seventeen per cent (17%) of the MAF for fourteen (14) days~~, the Front Royal Town Manager shall declare an emergency exists and declare mandatory water conservation measures to be in effect and shall implement enforcement thereof. The Town Manager shall notify the Department of Environmental Quality that mandatory conservation measures have been imposed. During periods of mandatory water conservation, all users of Front Royal municipal water system shall be prohibited from the following:

1. The watering of shrubbery, trees, lawns, grass, plants, or any other vegetation from Town water supplies (except indoor plantings, greenhouse and commercial nursery stocks, and new plantings less than one year old) between the hours of 9:00 a.m. and 4:00 p.m.

2. The outdoor washing of automobiles, trucks, trailers, boats, airplanes, or other types of mobile equipment ~~between the hours of 9:00 a.m. and 4:00 p.m.~~, except in a commercial vehicle wash facility.

3. The washing of private streets, driveways, parking lots, service station grounds, or other paved outdoor surfaces ~~between the hours of 9:00 a.m. and 4:00 p.m.~~

4. The operation of any ornamental fountains, unless the water is recycled. Municipal ornamental fountains shall be cleaned and closed within two (2) days of the mandatory water conservation restriction declaration.

5. The filling of swimming and/or wading pools, except that filled pools may be topped off to maintain the appropriate levels for use.

D. EMERGENCY WATER CONSERVATION.

Whenever the fourteen-day average stream flow of the South Fork of the Shenandoah River, measured from Point 01631000, drops below 240 CFS ~~fifteen percent (15%) of the MAF for fourteen (14) days~~, the Front Royal Town Manager shall declare an emergency exists and declare emergency water conservation to be in effect and shall implement enforcement thereof. During periods of emergency water conservation, all users of the Front Royal municipal water system shall be prohibited from the following:

1. The watering of shrubbery, trees, lawns, grass, plants, or any other vegetation from Town water supplies (except indoor plantings, greenhouse and commercial nursery stocks, ~~and new plantings less than one year old~~) at any time through the use of a hose and/or sprinkler system. ~~Plantings may only be watered between the periods of 9:00 p.m. and 9:00 a.m. through the use of a bucket or other container when using new potable water.~~ This time restriction prohibition shall not apply when individuals are watering plantings through the use of recycled household water.

2. The outdoor washing of automobiles, trucks, trailers, boats, airplanes, or other types of mobile equipment except in a commercial vehicle wash facility.

3. The washing of all streets, driveways, parking lots, service station grounds, office buildings, home of apartment exterior or other outdoor surfaces, including windows. Restaurants and other food preparation type businesses shall be allowed to wash their exterior garbage cans/dumpsters three (3) days per week, on Mondays, Thursdays and Saturdays. The Town Manager may authorize exterior washings for specific purposes whenever the health or safety of the public may be affected.

4. The operation ~~of~~ of all ornamental fountains.

5. The filling of swimming and/or wading pools, ~~except for the topping off of said pools.~~

6. All residential and recreational outdoor use shall be prohibited, unless and exception is otherwise granted in this Chapter.

7. All non-essential municipal water use shall be eliminated.

E. WATERING RATIONING.

Whenever the fourteen-day average stream flow of the South Fork of the Shenandoah River, measured from Point 01631000, drops below 200 CFS ~~thirteen percent (13%) of the MAF for fourteen (14) days~~, the Front Royal Town Manager shall declare an emergency exists and declare water rationing to be in effect and shall implement enforcement thereof. During

periods of water rationing, users of the Front Royal Municipal Water System shall be prohibited from the following:

1. The watering of shrubbery, trees, lawns, grass, plants, or any other vegetation, except indoor plantings, greenhouse and commercial nursery stocks. This prohibition shall not apply to waterings ~~that are~~ done through the use of recycled household water.
2. The washing of automobiles, tucks, trailers, boats, airplanes, or other types of mobile equipment. During periods of water rationing, the operators of commercial car wash facilities shall be notified of the imposition of water rationing through service by a law enforcement officer and appropriate radio and television advertisements and notices published in the newspapers of local circulation. The operators shall likewise be notified of the cessation of water rationing.
3. The hauling of water beyond the Town's municipal limits except to customers with existing twelve-month hauling contracts.
4. The operation of outdoor water spigots in any municipal park, playground, or recreation facility.
5. Commercial clothes washing facilities shall be required to reduce water usage by 50% of the average use of the previous twelve (12) months. Users with less than twelve months previous water use shall not exceed fifty-percent of their previous use for all water service shall not be restricted until they have established at least one (1) month's service in a period when water rationing is not in effect. During periods when water rationing, operators of commercial clothes washing facilities shall be notified of the imposition of water rationing through service by a law enforcement officer and appropriate radio and television advertisements and notices published in the newspapers of local circulation. The operators shall likewise be notified of the cessation of water rationing.

F. NOTIFICATION REQUIREMENTS.

The public shall be notified of the imposition of mandatory water conservation, emergency water conservation, and watering rationing through appropriate radio and television announcements and notices published in newspapers of local circulation. The public shall likewise be notified of the cessation of mandatory conservation, emergency water conservation, and water rationing.

G. LIFTING OF RESTRICTIONS.

Mandatory water conservation, emergency water conservation, and water rationing periods shall cease at such time as the fourteen-day average stream flow recovers and rises above the ~~MAF~~ flow rate needed for the imposition of mandatory water conservation, emergency water conservation, or water rationing.

H. VIOLATIONS.

Violation of the mandatory water conservation, emergency water conservation, and water rationing prohibitions set forth in Subsection C, D, and E during periods of water conservation or rationing may be punished by a fine not to exceed one thousand dollars (\$1,000). Each day that a violation occurs may be punished as a separate offense.

~~I. DROUGHT RESTRICTIONS.~~

~~During the statewide emergency and drought as declared by Executive Order 33 issued by Governor Mark R. Warner on August 30, 2002, and continuing in effect until June 30, 2003, or until such earlier date as the Governor rescinds Executive Order 33, at which time this subsection shall cease to be effective, users of the Front Royal Municipal Water System shall be prohibited from the following, and punished for violations thereof in the same manner as described in Sub Section 134-81 (H):~~

- ~~1. The watering of lawns at anytime; provided, however, that newly seeded or sodded or refurbished lawns may be watered for a period not to exceed thirty (30) days.~~
- ~~2. The washing of automobiles, trucks, trailers, boats, airplanes, or other types of mobile equipment at anytime; provided, however, that this sub-Section shall not apply to such washing at commercial car wash or at automotive-related industries such as auto dealers, body shops, and car rental agencies.~~
- ~~3. The filling or topping off of swimming pools; provided, however, that this sub-section shall not apply to pools used by health care facilities for patient care and rehabilitation; and further provided that new or repaired swimming pools may be filled as needed to maintain the structural integrity of the pool, and indoor pools may be filled as necessary to ensure swimmer health and safety.~~
- ~~4. The washing or rinsing of streets, driveways, or parking lots; provided, however, that this sub-section shall not apply to emergency clean ups of such streets, driveways, or parking lots in the event of a toxic or hazardous spill which requires such clean-up.~~

This ordinance shall be effective upon passage.

September 22, 2008