

13.04.160 - Curtailment of use of water.

- A. The mayor, after consultation with the commissioners and the director of public works, shall have the authority, whenever in his/her judgment he/she shall think it necessary, for the preservation of the public health and safety to suspend, curtail, regulate and prohibit the use of water from the municipal water system of the town, giving notice of such suspension, curtailment, regulation and prohibition by publication in some newspaper published in the town to all consumers of water of such suspension, curtailment, regulation and prohibition. Such suspension, curtailment, regulation and prohibition shall be ordered in accordance with the provisions set forth in subsection (B) and (C) below:
- B. Phase 1. Voluntary conservation restraints by all users of water from the municipal water system of the town.
- C.
 - 1. Phase 2. Mandatory restriction of any or all of the following uses:
 - a. Filling or replenishing of swimming pools;
 - b. Outside consumption of water, including but not limited to, washing of motor vehicles, houses, sidewalks or any public ways, or watering lawns, gardens or shrubs;
 - c. The providing of drinking water by operators of restaurants and taverns, unless requested by patrons.
 - 2. Large volume users:
 - a. "Large volume user" is defined as any user of town water or of the town water system which uses more than ten thousand (10,000) gallons per day of town water as determined by the average amount of water used by that user during the last two billing periods which covered the same months or periods of time as the months or period of time when the determination is made;
 - b. During Phase 2 restrictions, the mayor, after consultation with the commissioners and the director of public works, shall issue a target rate of water usage for large volume users. In addition to the restrictions set forth in subsection (C)(1) above, a large volume user shall not use town water in excess of the target rate. The mayor shall notify a large volume user in writing of the target rate which has been established for that user.
- D. Violation of any of the restricted uses set forth in Phase 2 shall be a municipal infraction, for which any law enforcement officer may issue a citation. The fines and penalties for any violation shall be as set forth below:
 - 1. For users other than large volume users:
 - a. Warning shall be given for the first violation;
 - b. A continuing or second violation shall be punishable by a fifty dollar (\$50.00) fine;
 - c. Any subsequent violation(s) shall be punishable by a seventy-five dollar (\$75.00) fine.
 - 2. For large volume users:
 - a. For a first violation, a warning shall be given that the use of water is in excess of the target rate;
 - b. For a second, continuing or subsequent occurrence of daily water use in excess of the target rate, a large volume user shall be fined an amount equal to two times the amount of the cost of the water, as determined by the then controlling water rate for that user, for all amounts of water used in excess of the target rate, said fine not to exceed one thousand dollars (\$1,000.00) for each day of the violation. Each day that the water usage exceeds the target rate shall constitute a separate violation.

(Ord. 02-15: Ord. 88-4A § 1: prior code Art. XII § 16)

13.04.170 - Prohibited acts generally.

- A. If any person shall injure the drains, pipes of conduit, any water house, reservoir, the reservoir grounds or the fencing upon such grounds, or shall willfully do, or cause to be done, any act whereby any pipe, plug, wall, cock, engine, machine, or any other fixture, apparatus or device connected with or appertaining to the waterworks shall be stopped, impaired, disarranged or injured or shall open any pipe, box or other appliance so as to occasion a wanton and willful waste of water, or shall permit the water to flow unnecessarily from his dwelling or enclosure, or use the same in any other manner than is specified in the application or contract for the use of water, he shall be guilty of a misdemeanor.
- B. If any person shall, without proper authority, introduce a ferrule and/or connection into any public or private pipe, or from any connection or communication whatsoever with any public or private pipe, or break ground for that or any other similar purpose in any of the public streets of the town, or shall introduce or use a ferrule and/or connection of larger diameter than is specified in his or her permit, he or she shall be guilty of a misdemeanor.
- C. The watering of lawns, shrubs, flowers, gardens, etc., via the public water system is prohibited on all days and at all times between the hours of 9:00 a.m. and 6:00 p.m. Anyone violating this section of the code shall be guilty of a misdemeanor and may be subject to a fine of up to two hundred fifty dollars (\$250.00) or both.

(Prior code Art. XII § 17)

(Ord. No. 11-07, 3-7-11)