

WATER RESTRICTIONS

An ordinance establishing the procedures for determining the necessity for imposition of water restrictions on consumers; establishing criteria for said restrictions and consequences for violation of imposed restrictions. This ordinance applies to all water services which are connected to the water system operated by the Sun Prairie Village County Water and Sewer District, Cascade County, State of Montana.

Be it ordained and enacted by the Board of Directors of the Sun Prairie Village County Water and Sewer District, State of Montana as follow:

**ARTICLE I
PURPOSE**

Sec. 1 The purpose of this ordinance is to clarify the authority of the Board of Directors to establish rules as provided in Montana Code Annotated Title 7, Parts 22 and 23 for the use of water within the boundary of the Sun Prairie Village County Water & Sewer District or connected to said system, regarding the conservation of and use of water during times of major system failures or drought conditions. Factors such as availability of water, severity of drought conditions or projected severity of said conditions will be taken into account in determining the level of restriction to be placed in effect.

**ARTICLE II
LEVELS OF RESTRICTIONS TO BE IMPOSED**

Sec. 1 There shall be three levels of restrictions which may be implemented by the Boards of Directors:

A. Normal: Normal restriction is to be imposed on a year round basis. Residents with even numbered addresses will water lawns and gardens on even numbered days. Residents with odd numbered addresses will water lawns and gardens on odd numbered days. No resident will water on the 31st day. Exception will be considered for Residents seeding or sodding new lawns as per section 3, this Article of this ordinance.

B. General: General restrictions may be imposed as a means for conservation of water during times of drought to ensure adequate domestic and fire reserves. The level of restriction may vary dependent upon the severity of or the projected severity and duration of the drought conditions. General restrictions will remain in place for a period to be determined by the Board of Directors.

C. Emergency: Emergency restrictions may be imposed to ensure that domestic and fire demands are met during times of major system failures such as well failure or failure of extended duration of the pressure sustaining pump station. Emergency

restrictions will remain in place for the duration of the condition which causes the restriction to be implemented.

Sec. 2 The general manager may after consultation with the president of the Board of directors or any two board members impose an emergency restriction.

Sec. 3 Exception: Waivers may be granted to residents who are seeding new lawns or portions of lawns or sodding new lawns. Residents who wish to seed or sod new lawns shall file a written request with the general manager of the District. The general manager will review the request and provide a written response which will stipulate the conditions of the waiver.

ARTICLE III Conditions of Restrictions

Sec. 1 Restriction to be levied will be dependent upon the severity of the drought or emergency condition at the time imposed. Restrictions imposed shall be no more severe than is required to ensure that household domestic use is assured as well as water main line pressure of 20 lbs per square inch are maintained during fire flows. Restrictions may include but are not limited to:

Watering lawns and/or gardens every other day based upon the address of the property.

Watering lawns and/or gardens between certain hours to be established by the Board of Directors at the recommendation of the General Manager for the District.

Limiting water to hand watering of lawns and/or gardens (water hose to be held in a person's hand while watering).

Limiting watering of trees and shrubs only.

Sec. 2 During periods of "normal" water restrictions, the washing of vehicles, trailers, boats, and motorcycles may be permitted on the residents authorized day in such a manner, so as to not allow the water to wastefully run down the curb. Violations of this section will be processed in accordance with 2-93.

ARTICLE IV Enforcement of Restrictions

Sec. 1 It shall be the responsibility of the Board of Directors to establish a means of enforcement of and levels of consequence for violation(s) of water restrictions once imposed.

Sec. 2 The Board of Directors may establish as dictated by the circumstances fines to be imposed upon users who violate restrictions. The fines shall be set on an escalating scale not to exceed \$100.00 for any one offense. The violations are to be noticed in writing at the time of the violation. Fines will be imposed by written notice and billed to the offender's user's

account. Failure to pay said fine shall constitute a delinquency in said account and shall be subject to normal collection procedures to include termination of service.

Sec. 3. Offenders may appeal the imposition of a penalty through procedures outlined in the Enforcement Action and Grievance Procedure Ordinance.

ARTICLE V
Validity

Sec. 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 2 The invalidity of any article section, clause, sentence or provision of these ordinances shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE VI
Ordinance in Force

Sec. 1 This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

Sec. 2 Passed and adopted by the Board of Directors of the Sun Prairie Village County Water and Sewer District, State of Montana on the 13 day of February, by the following vote:

Ayes Floris Dyke, / [Signature] : Namely Kevin Askebrand
[Signature] : Ken
Nays _____ : Namely _____

Approved this 13 day of February 2007

(Signed) Floris Dyke, President

Attest:
(Signed) [Signature], Secretary

(Seal)

History: Ordinance 2-1993, Enacted April 13, 1993; Revised February 9, 2007, Enacted March 13th, 2007