

ORDINANCE NO. 2009- 60

CITY OF GOLDSBORO
WATER SHORTAGE RESPONSE ORDINANCE

WHEREAS, the North Carolina Division of Water Resources recommends that all water utilities have a water shortage response plan ordinance in place should drought or other water emergencies occur; and

WHEREAS, the City Council of the City of Goldsboro has previously determined that it is in the best public interest of the citizens of Goldsboro to have such water conservation plan in place and hereby adopts the water shortage response ordinance as set forth herein.

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 City of Goldsboro system in the event a shortage is declared.

In the case of a drought, water use data will be monitored and compared to a non-drought period at least every thirty (30) days to evaluate effectiveness of water conservation measures. This ordinance will be reviewed and revised as needed, or after implementation of any emergency restrictions, and at least every five (5) years. When necessary, the City Manager will make revision recommendations to City Council for their approval.

Section 2. Definitions

- (a) "Customer", as the term is used in this ordinance, shall mean any person, business or industry using water for any purpose from the City'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) "Crisis", as the term is used in this ordinance, shall mean that a loss of potable water is probable unless there is an immediate reduction of water demand.
- (c) "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 exist in the area.
- (d) "Fresh Water", as the term is used in this ordinance, shall mean raw water withdrawn from surface water supplies that has not been previously used.

- (e) "Health Care Facility Customer", as the term is used in this ordinance, shall mean any customer whose principal function is to provide medical and health related services, such as hospitals, nursing homes, assisted living facilities, etc.
- (f) "Mandatory Conservation", as the term is used in this ordinance, shall mean that raw water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs, making certain uses prohibited.
- (g) "Non-Residential Customer", as the term is used in this ordinance, shall mean commercial, industrial, institutional, public, and all other such users.
- (h) "Rationing", as the term is used in this ordinance, shall mean procedures established to provide for the equitable distribution of critically-limited 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.
- (i) "Reclaimed Water", as the term is used in this ordinance, shall mean wastewater which has been treated to allow reuse.
- (j) "Residential Customer", as the term is used in this ordinance, shall mean any customer who receives water service for a single or multi-family dwelling unit. The term residential customer does not include educational or other institutions, hotels, motels, or similar commercial establishments.
- (k) "Service Interruption", as the term is used in this ordinance, shall mean the temporary suspension of water supply, or reduction of pressure below that required for adequate supply, to any customer, portion of a water supply, or entire system.
- (l) "Voluntary Conservation", as the term is used in this ordinance, shall mean that conditions exist which indicate the potential for serious water supply shortages and certain actions are requested.
- (m) "Waste of Water", as the term is used in this ordinance, includes, but is not limited to (1) permitting water to escape down a gutter, ditch, or other surface drain, or (2) failure to repair a controllable leak of water due to defective plumbing.
- (n) "Wastewater", as the term is used in this ordinance, shall mean water which has been previously used for industrial, municipal, domestic, or other purpose, and has not been returned to the surface source.
- (o) "Water", as the term is used in this ordinance, shall mean water available to the City of Goldsboro for treatment by virtue of its water rights or withdrawal permit or

any treated water introduced by the City into its water distribution system, including water offered for sale.

- (p) "Water Use Categories", as the term is used in this ordinance, shall be established as follows:

Category 1: Essential Water Uses

Domestic Use:

- Water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation in kitchens, bathrooms, and laundry.

Health Care Facilities:

- Water required to provide patient care and rehabilitation as necessary to preserve the health of patients or residents.

Public Use:

- Fire Hydrants
 1. Firefighting
 2. Certain testing and drills by the fire department if performed in the interest of public safety and if approved, by the City of Goldsboro.
- Maintenance of sanitary sewers and hydrants flushing as needed to ensure public health and safety.

Category 2: Socially or Economically Important Uses of Water

Domestic Use: All Domestic Uses Other Than Those Included in Categories 1 & 3:

- Minimal watering of lawns, gardens, trees, etc. at home.
- Washing of personal vehicles at home.

Commercial, Agricultural, Industrial, and Institutional Uses

- Irrigation for commercial vegetable gardens and fruit orchards or the maintenance of livestock.
- Watering by commercial nurseries at a minimum level necessary to maintain stock.
- Water use by public gardens of regional significance where necessary to preserve specimens.
- Use of fresh water at a minimum rate necessary to implement vegetation following earth-moving, where such revegetation is required by law or regulation.
- Watering of golf courses, athletic fields, parks.
- Filling and Operation of Swimming Pools:

- Residential pools which serve more than 25 dwelling units.
- Pools used by health care facilities for patient care and rehabilitation.
- Municipal pools.
- Interior cleaning of commercial truck beds.
- Commercial Laundromats
- Restaurants, Clubs, and Eating Places
- Air Conditioning:
 - Refilling for startup at the beginning of the cooling season.
 - Make-up 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 purposes.
- Schools, Churches, Motels/Hotels and Similar Commercial Establishments.

Category 3: Non-Essential Uses of Water

- Ornamental Purposes
 - Fountains, reflecting pools, and artificial waterfalls.
- Outdoor Non-Commercial Watering (public or private)
 - Filling and operation of recreational swimming pools which serve fewer than 25 dwellings.
 - Washing of motor vehicles exteriors.
 - Serving water in restaurants, clubs, or eating places except by specific request.
 - Air Conditioning: refilling cooling towers after draining except as specified in Category 1.

Section 3. Declaration of Voluntary Conservation

Whenever the Mayor of the City of Goldsboro is informed by the City Manager that either the drinking water supply is limited or that a potential shortage of raw water supply is indicated, the Mayor shall be empowered to declare by adoption of this ordinance that Voluntary Conservation conditions exist. The Public Utilities Director shall monitor the supply and demand upon that supply. In addition, the Mayor (or City Manager or his designee) is authorized to call upon all water customers to employ voluntary water conservation measures as outlined in Addendum 1 to limit water use (especially Category 3: Non-Essential Uses) and eliminate the waste of water. The Declaration of Voluntary Conservation shall be published in a newspaper of general circulation in the area which qualifies under GS 1-597, and may be publicized through the general news media, radio, cable TV, or any other appropriate method for making such information public. In the case of a drought, the trigger for the Declaration of Voluntary Conservation is reaching a water level of 52.00 feet Mean Sea Level (MSL) at the Neuse River intake structure.

Section 4. Declaration of Phase I, II or III Mandatory Conservation

Whenever the Mayor of the City of Goldsboro is informed by the City Manager that either the drinking water supply is limited or that raw water supplies are consistently below seasonal averages, and if this supply continues to decline, it may not be adequate to meet the City's normal needs, the Mayor is empowered to declare by adoption of this ordinance that Phase I, II or III Mandatory Conservation conditions exist. In addition, the Mayor (or City Manager or his designee) is authorized to call upon all water customers to employ mandatory water conservation measures as outlined in the Addendum 2. The City shall continue to encourage voluntary water conservation measures defined under the Voluntary Conservation declaration, and further shall impose a ban on water uses for the duration of the shortage as defined in Addendum 2. These restrictions shall continue until it is ended by the announcement of Return-to-Normal conditions by the City of Goldsboro. The Declaration of Phase I, II or III Mandatory Conservation Measures shall be published in a newspaper of general circulation in the area which qualifies under GS 1-597, and may be publicized through the general news media, radio, cable TV, or any other appropriate method for making such information public. In the case of a drought, a Declaration of Mandatory Conservation shall be imposed when the level of the Neuse River at the City's intake structure reaches 50.00' MSL.

Situations could occur that declaration of Mandatory Water Conservation is necessary even before the river level reaches 50.00' MSL. Examples include, but are not limited to: 1) If the City is informed that the US Army Corps of Engineers has significantly reduced the flow from the Falls Lake Dam and that water supply to the City will be limited, 2) If water lines are broken and drinking water is in short supply. In these types of situations, the Mayor (or City Manager or his designee) is authorized to call upon all water customers to employ Phase I, II or III mandatory water conservation measures as outlined in Addendum 2.

Section 4a. Enforcement of Mandatory Conservation Phase

- (a) The City of Goldsboro has responsibility for compliance monitoring of the water shortage response ordinance, beginning with the Mandatory Conservation Phase.
- (b) Any residential or non-residential water customer who does not comply with the Phase I, II or III mandatory water conservation restrictions established pursuant to this water shortage response ordinance may be subject to the following civil penalties and administrative fees:

Residential Penalties:

- 1st offense: warning
- 2nd offense: \$50 civil penalty + \$50 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.
- Subsequent offenses: Each subsequent offense in the same calendar year, \$125 civil penalty + \$75 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.

Non-Residential Penalties:

- 1st offense: warning
- 2nd offense: \$150 civil penalty + \$50 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.
- Each subsequent offense in the same calendar year: \$750 civil penalty + \$250 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.

- (c) Any residential or non-residential water customer who does not comply with the Phase I, II or III mandatory water conservation restrictions established pursuant to this water shortage response ordinance shall be liable for attorney fees incurred by the City of Goldsboro if all civil penalties and administrative fees are not paid in full within the specified period of 10 days. The attorney fees shall be \$350 for any 2nd offense and \$750 for each subsequent offense in the same calendar year. Court costs and any other collection expenses will be the responsibility of the water customer.

Section 4b. Exemptions during Phase I, II and III Mandatory Conservation

The Phase I, II and III mandatory conservation watering restrictions shall **not** apply to:

- (a) Watering commercial containerized plants and commercial plant stock in trade maintained for resale by a plant nursery business. A plant nursery business is defined as a retail facility that generates more than 50% of its annual income from the sale of plants;
- (b) Plantings installed before the adoption of any Mandatory Conservation phase may obtain a 45-day Landscape Establishment Permit from the City for the purpose of watering such plantings between 7:00 pm to midnight on Wednesday and Saturday nights. Plantings installed after the adoption of Phase II Mandatory Conservation restrictions are not subject to obtaining a 45 day Landscaping Establishment Permit except as provided for required stormwater vegetation in Addendum 2.

The City Manager may grant exemptions if extraordinary circumstances exist provided the use shall not have a detrimental effect on the City of Goldsboro's water supply.

Section 5. Declaration of a Water Shortage Crisis

Whenever the Mayor of the City of Goldsboro is informed by the City Manager that either the drinking water supply is limited or that raw water supplies are below the level necessary to meet normal needs and that serious shortages exist, the Mayor is empowered to declare by this ordinance that a Water Shortage Crisis exists. In addition, the Mayor (the City Manager or his designee) is authorized to call upon all

water customers to employ water shortage crisis measures as outlined in Addendum 3. These restrictions shall continue until the emergency is ended by the announcement of Return-to-Normal conditions by the City. Under a Water Shortage Crisis, it is contingent upon the City to provide for the equitable distribution of critically-limited 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. In the case of a drought, a Declaration of Water Shortage Crisis shall be imposed when the level of the Neuse River at the City's intake structure reaches 49.5' MSL and that mandatory conservation measures have not achieved a 30% water reduction goal.

Situations could occur that declaration of a Water Shortage Crisis is necessary even before the river level reaches 49.5' MSL. Examples include, but are not limited to: 1) If the City was informed that the US Army Corps of Engineers has significantly reduced the flow from the Falls Lake Dam and that water supply to the City will be questionable; 2) If water lines are broken and drinking water is in short supply. In these types of situations, the Mayor (or City Manager or his designee) is authorized to call upon all water customers to employ water shortage crisis measures as outlined in the Addendum 3.

Section 5a. Objectives of Declaration of a Water Shortage Crisis

To meet the objectives of the declaration of a water shortage crisis:

- (a) It is imperative that water customers achieve an immediate further reduction in water use in order to extend existing water supplies and, at the same time, assure that sufficient water is available to preserve the public health and sanitation and to provide fire protection service.
- (b) The immediate further reduction in water usage is another step along a continuum of responses to the present water supply shortage. Should shortage continue, further reductions in usage may be required.
- (c) The plan provides for equitable reductions in water usage and for equal sacrifice on the part of each water customer. The success of this ordinance depends on the cooperation of all water customers in the emergency area.

Section 5b. Water Use for Residential Users during Water Shortage Crisis

- (a) Users of more than 4,000 gallons (5.3 100 cubic feet) per month should reduce water consumption by 15% to 20%. Users of less than 4,000 gallons per month are requested to participate in water reduction efforts. Water consumption in excess of the annual average water consumption may result in an excess demand surcharge of double water and sewer rates for all water consumption that exceeds the annual average water use.

- (b) Conservation Measures. See Addendum 3.
- (c) For large residential households, the City may increase the 4,000 gallons per month (5.3 100 cubic feet) threshold.

Section 5c. Water Use for Non-Residential Water Users during Water Shortage Crisis

- (a) Non-residential customers include commercial, industrial, institutional, public, and all other such metered users.
- (b) Non-residential water customers whose average monthly water use is less than 67,500 gallons (0-90 100 cubic feet) should reduce their water usage by 15% to 20% based on the annual average. Water consumption in excess of the annual average water consumption may result in an excess demand surcharge of double water and sewer rates for all water consumption that exceeds the annual average water use.
- (c) Non-residential water customers whose average monthly water use is between 67,500 and 375,000 gallons (90 to 500 100 cubic feet) should reduce their water usage by 20% to 25% based on the annual average. Water consumption in excess of the annual average water consumption may result in an excess demand surcharge of double water and sewer rates for all water consumption that exceeds the annual average water use.
- (d) Non-residential water customers whose average monthly water use is greater than 375,000 gallons (500 100 cubic feet) should reduce their water usage by 25% to 33% based on the annual average. Water consumption in excess of the annual average water consumption may result in an excess demand surcharge of double water and sewer rates for all water consumption that exceeds the annual average water use.
- (e) It is the primary responsibility of each non-residential water customer to meet its mandated water use reduction goal in whatever manner possible, including limitation of operating hours or days if necessary.
- (f) Each non-residential water user shall provide access to City personnel for purposes of meter reading and monitoring of compliance of this ordinance. All reasonable efforts will be made to contact customers to arrange for access.
- (g) The City will provide each non-residential customer with suggested means to reduce usage levels. See Addendum 3.

Section 5d. Water Use for Hospitals and Health Care Facilities during Water Shortage Crisis

- (a) Hospitals and health care facilities shall comply with all restrictions imposed on residential and non-residential water customers as may be applicable to each individual institution, to the extent compliance will not endanger the health of the patients or residents of the institution.
- (b) Each hospital or health care facility shall survey its water consumption patterns and requirements and implement such additional conservation measures as may be possible without endangering the health of its patients or residents to achieve a further reduction in the institution's water usage.
- (c) The City of Goldsboro will provide each hospital and health care facility with suggested means to reduce usage levels. See Addendum 2.

Section 5e. Enforcement of Water Use Restrictions during Water Shortage Crisis

- (a) The City of Goldsboro has responsibility for monitoring compliance during the water shortage crisis.
- (b) Any residential or non-residential water customer who does not comply with the mandatory water conservation restrictions established pursuant to this water shortage response ordinance may be subject to the following civil penalties and administrative fees.

Residential Penalties:

- 1st offense: \$500 + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.
- 2nd offense: \$1,000 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.
- Subsequent offenses: Subsequent offenses within same calendar year, double the amount of the most recent utility bill + \$1,500 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.

Also, may double utility bill if consumption increases above average monthly use based on an annual average.

Non-Residential Penalties:

- 1st offense: \$750 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.

- 2nd offense: \$1,500 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.
- Subsequent offenses: Subsequent offenses within same calendar year, double the amount of the most recent utility bill + \$2,000 civil penalty and \$300 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.

The City reserves the right to terminate water service if user (residential or non-residential) has 3 violations within 6 months.

- (c) Any residential or non-residential water customer who does not comply with the mandatory water conservation restrictions established pursuant to this water shortage response ordinance shall be liable for attorney fees incurred by the City of Goldsboro if all civil penalties and administrative fees are not paid in full within the specified period of 10 days. The attorney fees shall be \$350 for the first offense and \$750 for each subsequent offense in the same calendar year. Court costs and any other collection expenses will be the responsibility of the water customer.

Section 6. Declaration of Water Shortage Interruptions

Whenever the Mayor of the City of Goldsboro is informed by the City Manager that raw water supplies are well below the level necessary to meet basic water needs and that serious shortages exist, the Mayor is empowered to declare by this ordinance that a Water Shortage Interruption situation exists. Under a Water Shortage Interruption situation, it is contingent upon the City to provide critically-limited water supplies, in order to preserve public health and safety of its citizens.

In addition, the Mayor (or City Manager or his designee) is authorized to call upon all water customers to employ water shortage interruption measures as outlined in Addendum 4. These restrictions shall continue until this phase is ended by the announcement by the City that Water Service Interruptions conditions no longer exist.

- (a) If the water shortage crisis indicates that despite conservation measures in effect, the water supply cannot meet the City's water consumption, broader water main interruptions may be required which will affect water users. The following provisions shall govern the implementation of temporary service interruptions.
1. In order to effectuate compliance with this ordinance, the City of Goldsboro is hereby authorized and required to plan and implement temporary service interruptions to all or part of its water supply system, as may be deemed appropriate, when any and/or all of the following conditions are determined to exist:

- (i) The mandated reduction in system-wide usage has not been achieved, and/or
 - (ii) The mandated reduction in system-wide water usage has been achieved, but has failed to have a significant impact in extending limited water supplies, and/or
 - (iii) Temporary service interruptions are necessary in order to further extend limited and/or dwindling water supplies.
2. In the event it is determined that temporary service interruptions are necessary, the City shall notify its customers through the public media (newspapers, radio, and television), at least one day prior to the temporary service interruptions, that a planned, temporary service interruption is to be imposed. Such notice shall:
- (i) State the day or days when the planned, temporary service interruption will occur;
 - (ii) State the time(s) when such planned, temporary service interruptions will commence, and the time(s) such interruption will cease;
 - (iii) State whether the planned, temporary service interruptions are to be imposed on the entire system, or part thereof, and, if only part(s) of the system will experience planned, temporary service interruptions, identify geographic boundaries within which such interruptions will occur; and
 - (iv) Advise all Customers within the areas affected by planned, temporary service interruptions how to treat any water received from the system, for human consumption, during the period(s) of such interruptions and for such additional time as may be necessary until full pressure is restored to the system.
3. If a planned, temporary service interruption is imposed as authorized and required by this ordinance, the City of Goldsboro must provide for the continued delivery of water to health care facilities within the area(s) affected by such interruptions, by means of any adequate, alternative delivery measures that may be necessary.
4. If a planned, temporary service interruption is implemented, the City must make provision, by any means possible, for the continued delivery of such water as may be necessary for the proper operation of sewage collection, treatment, and disposal systems and facilities.

5. If a planned, temporary service interruption is implemented, the City shall impose a temporary moratorium on all new service connections to the City's water system.

Section 7. Water Shortage Rates

Upon the declaration of a water supply shortage as provided in Sections 3, 4, 5, and 6, the governing body of the City shall have the power to adopt water shortage rates by ordinance designed to conserve water supplies. Such rates may provide for, but not be limited to: (a) higher charges per unit for increasing usage (increasing block rates); (b) extra charges for use in excess of a specified level (excess demand surcharge).

Section 8. Return-To-Normal

When it is determined that the water shortage has abated, the reverse order of water conservation stages will be followed until a full return-to-normal is achieved. For example, the Water Shortage Crisis phase will go to a less restrictive Mandatory Conservation phase, then to a much less restrictive Voluntary Conservation phase until a Return-To-Normal condition is reached. It is the City's intent to remain for an adequate period of time at each water conservation phase to avoid oscillating back and forth between water shortage phases and the Return-To-Normal condition.

Section 9. Public Comment

The City will provide a public comment period to review revisions to the Water Shortage Response Ordinance. A public hearing date will be set and advertised at least ten (10) days prior to the public hearing. Interested citizens will be provided with the proposed ordinance revisions by request to the City Clerk. After the public hearing comments have been taken into consideration, the City Council may adopt the revised ordinance.

Section 10. Severability

If any provision of this ordinance is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and its applicability to other persons and circumstances shall not be affected thereby.

Section 11. Effective Date


This Ordinance shall take effect immediately upon adoption or passage by the City of Goldsboro's governing body.

Section 12. Effective Period

This ordinance will remain in effect until terminated by action of the City's governing body.


NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that this ordinance shall be in full force and effect from and after this the 3rd day of August, 2009.

Approved as to Form Only:



City Attorney

Reviewed by:



City Manager

ADDENDUM 1

VOLUNTARY CONSERVATION PHASE

Direct users to adopt the following conservation measures:

1. Take 5-minute showers instead of baths.
2. Do not let water run while shaving, brushing teeth, and rinsing dishes.
3. Keep a bottle of chilled water in the refrigerator for drinking, so as not to run the tap to get cold water.
4. Only run dishwasher or clothes washing machine when there is a full load. Washing dishes by hand saves about 25 gallons (don't let tap run).
5. Inspect and repair leaky valves on faucets and toilets.
6. Install water-saving devices on toilets and showers. (i.e., place an item in the toilet tank [do not use a brick] to reduce amount of water per flush, install low-flow shower heads, etc. Look for water conservation features if buying new water-consuming appliances.)
7. Do not allow children to play with hose or sprinklers.
8. Limit lawn and outside plant watering, then only at night between 5:00 pm and 12:00 midnight, no more than three (3) times per week, to avoid water evaporation loss. In an hour, 600 gallons of water can be wasted.
9. Position sprinklers to water the lawn, to avoid water spraying on pavement.
10. Avoid watering on windy days when the wind not only blows water off target, but also causes excess evaporation.
11. Know how to turn off an automatic sprinkler system in case of rain. There are automatic rain sensors available that prevent automatic sprinkler from starting if it has just rained.
12. Use an alarm clock or a timer to remind one to shut off hose-fed sprinklers that don't have timers.
13. Consider delaying the seeding or sodding of new lawns.
14. Golf courses and athletic fields shall attempt to reduce water consumption by 50%.
15. While waiting for water to get hot, catch running water from sink and tub faucets and use for animals to drink or to water plants.
16. Use a broom instead of water to wash down sidewalks, patios, and driveways.
17. Do not fill empty swimming pools or wading pools.
18. Do not use the toilet as a wastebasket. Put tissues and trash in a trashcan.
19. Limit toilet flushes.
20. Use disposable & biodegradable dishes where possible.
21. Be ready to catch rainfall that occurs. Place containers under drain spouts.
22. Use pistol-grip nozzles on hoses to avoid waste when watering flowers and shrubs.
23. Aerate lawns by punching holes 6 inches apart. This allows water to reach roots rather than run off surfaces.
24. Keep sprinkler heads clean to prevent uneven watering.
25. Adjust hose to simulate a gentle rain. Sprinklers that produce a fine mist waste water through evaporation.
26. Install automatic shut off devices on sprinkler systems.
27. The City will delay the implementation of landscape code requirements until the next planting season after Return-to-Normal condition. However, a performance bond will be required for any landscaping required by the City's Unified Development Ordinance.

ADDENDUM 2

MANDATORY CONSERVATION PHASE I

Direct users to adopt the following conservation measures:

1. Continue all voluntary conservation measures.
2. Watering lawns, gardens and plant material is allowed only two (2) days per week. You may water on Tuesday night and Friday night (7:00 p. m. to Midnight) if you are located on the north side of Ash Street. You may water on Wednesday night and Saturday night (7:00 p. m. to Midnight) if you are located on the south side of Ash Street. Set a timer to remind you to turn off the water. Six hundred gallons of water can be wasted in one hour.
3. No pressure washing or other washing of houses, driveways, gutters, etc. except on Saturdays and Sundays. Commercial pressure washing businesses with a valid City of Goldsboro privilege license (obtained prior to the adoption of any mandatory water conservation phase) may operate without disruption provided all efforts to conserve water are observed.
4. Personal vehicle washing shall not be allowed except on Saturdays and Sundays. Water hoses shall be turned off or use a pistol grip sprayer, or similar device, when not actually being used to rinse off the vehicle.

Carwash fundraisers for non-profit organizations shall be allowed provided all water hoses are turned off or use a pistol grip sprayer, or similar device, when not essential for rinsing of vehicles.
5. Golf courses and athletic fields are encouraged to reduce water consumption.
6. Do not misuse or intentionally waste water.
7. Leaking water services or plumbing must be repaired within 24 hours of written notification by the City of Goldsboro.
8. The City will delay the implementation of landscape code requirements until the next planting season after Return-to-Normal conditions. However, a performance bond will be required for any landscaping required by the City's Unified Development Ordinance. The Bond shall be in accordance with all Unified Development Ordinance standards.

MANDATORY CONSERVATION PHASE II

Direct users to adopt the following conservation measures:

1. Continue all Voluntary Conservation measures.
2. Watering lawns, gardens and plant material is allowed only one day per week. You may

water on Friday night (7:00 p. m. to Midnight) if you are located on the north side of Ash Street. You may water on Saturday night (7:00 p. m. to Midnight) if you are located on the south side of Ash Street. Set a timer to remind you to turn off the water. Six hundred gallons of water can be wasted in one hour.

3. No pressure washing or washing of houses, driveways, rain gutters, etc. except by commercial pressure washing businesses with a valid City of Goldsboro Privilege License (obtained prior to the adoption of any mandatory water conservation phase). Commercial pressure washers may operate without disruption provided all efforts to conserve water are observed.
4. No personal or commercial vehicle washing except at commercial car washes. Automobile dealerships may wash or rinse cars off once per week provided all water hoses are turned off or use a pistol grip sprayer, or similar device, when not essential for the rinsing of vehicles.
5. Do not fill ornamental pools or fountains.
6. Water will not be served in restaurants except when requested by customers. It takes water to wash the glasses too. Restaurants should be encouraged to sell/serve bottled water to customers.
7. No use of water from public or private hydrants or other source for any purpose other than fire suppression, construction or other public emergency or water utility needs. No bulk sales.
8. Do not operate water-cooled equipment that does not recycle cooling water, except when health and safety are adversely affected.
9. Golf courses and athletic fields must reduce water consumption by 70%.
10. No use of water for dust control/compaction.
11. All non-residential water users should formulate and implement a plan to reduce water consumption as detailed in Section 5c of this ordinance.
12. Do not misuse or intentionally waste water.
13. Leaking water services or plumbing must be repaired within 24 hours of written notification by the City.
14. Watering of vegetation installed as part of a required Best Management Practice (BMP) for compliance with the Neuse River Basin Stormwater Rules will be allowed to be watered on Wednesdays and Saturdays (from 7:00 p. m. to Midnight). A watering permit shall be obtained from the City prior to installation of any BMP vegetation.
15. No carwash fundraisers are allowed during Phase II Mandatory Water Conservation.

MANDATORY CONSERVATION PHASE III

1. Continue all voluntary conservation measures.
2. No outdoor watering of plants and vegetation. This includes residential or commercial lawns, gardens, golf courses and athletic fields. The City shall lock all irrigation meters to prevent unauthorized water usage.
3. No pressure washing or washing of houses, driveways, rain gutters, etc. including commercial pressure washing businesses.
4. No personal or commercial vehicle washing except at commercial carwashes. Commercial car washes shall reduce their annual average consumption by 30%. Water usage in excess of the required 30% reduction will result in an excess demand surcharge of double water and sewer rates for all water usage in excess of the required 30% reduction. Automobile dealerships are not allowed to rinse or wash off their vehicles during the Phase III Mandatory Conservation Phase.
5. Do not fill ornamental pools or fountains.
6. Water will not be served in restaurants except when requested by customers. It takes water to wash the glasses too. Restaurants should be encouraged to sell/serve bottled water to the customers.
7. No use of water from public or private hydrants or other source for any purpose other than fire suppression, construction or other public emergency or water utility needs. No bulk sales.
8. Do not operate water-cooled equipment that does not recycle cooling water, except when health and safety are adversely affected.
9. No use of water for dust control/compaction.
10. All non-residential water users should formulate and implement a plan to reduce water as detailed in Section 5c of this ordinance.
11. Do not misuse or intentionally waste water.
12. Leaking water services or plumbing must be repaired within 24 hours of written notification by the City.
13. Required vegetation that is required to be installed as part of a required Best Management Practice (BMP) for compliance with the Neuse River Basin Stormwater Rules shall not be planted unless the property owner signs a statement certifying that any water used for irrigation will be brought from outside of the City of Goldsboro's public water supply system. Property owners who elect to not haul in water to irrigate the required landscaping shall construct the BMP to the point of landscaping installation and bond the plant material in accordance with City of Goldsboro Unified Development Ordinance standards.

14. Projects subject to landscaping installation may elect to defer installation due to the drought but shall be required to post a bond to the City of Goldsboro for the required landscaping in accordance with City of Goldsboro Unified Development Ordinance standards.
15. No carwash fundraisers are allowed during Phase III Mandatory Water Conservation.

PHASE I, II AND III MANDATORY RESTRICTIONS WITH THE FOLLOWING PENALTIES:

Residential Penalties:

- 1st offense: warning
- 2nd offense: \$50 civil penalty + \$50 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.
- Subsequent offenses: Each subsequent offense in the same calendar year, \$125 civil penalty + \$75 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.

Non-Residential Penalties:

- 1st offense: warning
- 2nd offense: \$150 civil penalty + \$50 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.
- Each subsequent offense in the same calendar year: \$750 civil penalty + \$250 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.

PHASE I, II AND III MANDATORY WATER CONSERVATION SUGGESTIONS FOR HOSPITAL AND HEALTH CARE FACILITY CUSTOMERS

- Reduce laundry usage or services by changing bed linens, etc. only when necessary to preserve the health of patients or residents.
- Use disposable food service items.

PHASE I, II AND III MANDATORY WATER CONSERVATION SUGGESTIONS FOR INDUSTRIAL USE

- Identify and repair all leaky fixtures and water-using equipment. Give special attention to equipment connected directly to water lines, such as processing machines, steam-using machines, washing machines, water-cooled air conditioners, and furnaces.
- Assure that valves and solenoids that control water flows are shut off completely when the water-using cycle is not engaged.
- Adjust water-using equipment to use the minimum amount of water required to achieve its stated purpose.
- Shorten rinse cycles for laundry machines as much as possible; implement lower water levels wherever possible.

- For processing, cooling, and other uses, either re-use water or use water from sources that would not adversely affect public water supplies.
- Advise employees, students, patients, customers, and other users not to flush toilets after every use.
- Install toilet tank displacement inserts; place flow restrictors in shower heads and faucets; close down automatic flushes overnight.
- Install automatic flushing valves which use as little water as possible or to cycle at longer intervals.
- Enact a water conservation education program for your employees, students, patients, customers, etc. Educate them on how to conserve and also that you are conserving water.
- Check meters on a frequent basis to determine consumptive patterns.
- Review usage patterns to see where other savings can be made.

NOTE: The NC Department of Environment and Natural Resources, Division of Pollution Prevention & Environmental Assistance provides free consulting to industries on water conservation. Contact: Keys McGee, Environmental Engineer
(919)733-4398 (work), (919) 715-6794 (fax)
Keys.Mcgee@ncmail.net

ADDENDUM 3

WATER SHORTAGE CRISIS PHASE

Direct users to adopt the following conservation measures:

1. Continue the measures listed in Voluntary Conservation and Phase III Mandatory Conservation that are not inconsistent with the following:
2. No outdoor or indoor watering of plants. This includes residential lawns, gardens, golf courses, athletic fields and retail establishments that sell plants.
3. Do not use water for any unnecessary purpose or intentionally waste water.
4. Residential users of more than 4,000 gallons (5.3 100 cubic feet) per month should reduce water by 15%-20% of annual average. Excess demand surcharges may apply as detailed in Section 5b of this ordinance.
5. Non-residential users of water up to 67,500 gallons (up to ninety 100 cubic feet) per month should reduce water consumption by 15% to 20% of annual average. Excess demand surcharges may apply as detailed in Section 5c of this ordinance.
6. Non-residential users of water between 67,500 to 375,000 gallons (ninety to five-hundred 100 cubic feet) per month should reduce water consumption by 20% to 25% of annual average. Excess demand surcharges may apply as detailed in Section 5c of this ordinance.
7. Non-residential users of water more than 375,000 gallons (five-hundred 100 cubic feet) per month shall reduce water consumption by 25% to 33% of annual average. Excess demand surcharges may apply as detailed in Section 5c of this ordinance.
8. No water will be added to public or private swimming pools, wading pools or ornamental fountains.
9. Building permits for new construction shall be prohibited during the Water Shortage Crisis Phase.
10. Food and beverages in restaurants, school cafeterias and other food establishments being served on disposable plates, saucers, cups, eating utensils, napkins, and tablecloths are required to meet water conservation targets.
11. No vehicle washing, including commercial car washes, regardless of amount of water recycled.
12. Leaking water services or plumbing must be repaired within 24 hours of written notification by the City.
13. There will be no water used from fire hydrants or other sources for construction.

THESE ARE EMERGENCY WATER SHORTAGE RESTRICTIONS AND SUBJECT TO THE FOLLOWING PENALTIES:

Residential Penalties:

- 1st offense: \$500 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left or mailed to the residence.
- 2nd offense: \$1,000 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.
- Subsequent offenses: Subsequent offenses within same calendar year, double the amount of the most recent utility bill + \$1,500 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the residence.

Also, will double utility bill if consumption increases above average monthly use based on an annual average.

Non-Residential Penalties:

- 1st offense: \$750 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.
- 2nd offense: \$1,500 civil penalty + \$100 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.
- Subsequent offenses: Subsequent offenses within same calendar year, double the amount of the most recent utility bill + \$2,000 civil penalty and \$300 administrative fee due and payable within 10 days of notice being left at or mailed to the non-residential address.

The City reserves the right to terminate water service if user has 3 violations within 6 months.

- Other Remedies: The City reserves the right to enforce this ordinance in all other ways allowable under the laws of North Carolina including but not limited to the right to seek injunctive relief against any violators.

ADDENDUM 4

WATER SHORTAGE INTERRUPTIONS PHASE

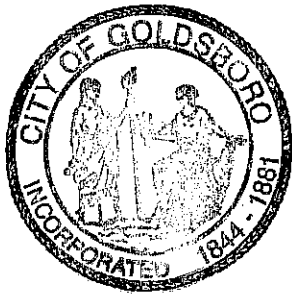
Direct users to adopt the following conservation measures:

- (1) Continue with the Response Measures outlined for Mandatory Conservation Phase III and Water Shortage Crisis Phase that are not inconsistent with the following:
- (2) No watering of golf courses and plant nurseries.
- (3) The City reserves the right to interrupt water services for residential and non-residential water users to preserve public health and safety.

**CERTIFICATION
OFFICE OF THE CITY CLERK**

This is to certify that the foregoing and attached is a true and accurate copy of Ordinance No. 2009-60 adopted by the City Council of the City of Goldsboro, North Carolina, at a regularly scheduled meeting held on the 3rd day of August, 2009.

Witness my Hand and the Seal of the City of Goldsboro, North Carolina, this the 5th day of August, 2009.



Melissa C. Brewer
Melissa C. Brewer
City Clerk
City of Goldsboro
Goldsboro, NC