

**Ordinance No. 18-03**  
**AN ORDINANCE AUTHORIZING CONSERVATION MEASURES AND MEASURES**  
**DESIGNED TO LIMIT WATER**  
**USE DURING A SYSTEM CONSTRAINT OR DROUGHT RELATED WATER**  
**SHORTAGE IN**  
**THE CITY OF NORWALK, IOWA**

NOW, THEREFORE, be it ordained by the City Council, City of Norwalk, Iowa.

**Section 1. Purpose.** The purpose of this ordinance is to create a new Section 92.12, Norwalk Code establishing procedures for systematically managing water demand through conservation measures and measures designed to limit water use during a system constraint or drought related or other shortage.

**Section 2. Definitions**

The Water Shortage Stages start at Stage I (least restrictive) and advance to Stage IV (most restrictive). The Stages become increasingly restrictive for water usage in a response to the severity of the shortage.

Water Shortage: The Public Works Department will establish departmental policies that define when the various stages are to be triggered. These policies will serve as a general guide for water shortage stage implementation. Water shortage steps may be skipped and policies adapted as needed depending on conditions of the Norwalk Water System and weather patterns.

**Section 2. General prohibition.**

A. No person shall cause, use, or permit the use of water from the City water system in a manner contrary to any provision of this Chapter.

B. No person shall cause, use, or permit the use of water from the City water system in excess of any limit or in violation of any policy established by the Public Works Director and Mayor as hereby authorized by the City Council.

**Section 2. Authority.** The Public Works Director may declare a Stage I or Stage II shortage when an emergency shortage exists. The Mayor may declare a Stage III or Stage IV shortage when an emergency shortage exists. The implementation of the respective stages shall occur and be implemented immediately upon the declaration of the respective authority identified hereinabove. The implementation shall cease upon a Declaration by the respective authority.

**Section 3. Water Emergencies**

**Stage I: Voluntary 25% reduction in turf irrigation**

Upon declaration of a Stage 1 Water Shortage, the following restrictions shall apply to the use of water from the City's water system: the City will increase public communication and education efforts aimed at water conservation, will encourage the community to conserve water wherever

possible and otherwise promote the efficient use of water. During a Stage I shortage, water customers are encouraged, in addition to normal water conservation, to specifically follow the voluntary water conservation measures set forth below:

1. Request a city wide 25% reduction in lawn irrigation.
2. Encourage customers to optimize their irrigation systems so water is not directed onto impervious surfaces and turf is not overwatered.
3. Recommend customers irrigate on alternate days, by a system under which even numbered addresses water only on even days of the month, and odd numbered addresses water only on odd numbered days of the month.
4. Customers who irrigate should do so early in the morning, prior to 6:00 am for less evaporation.

Enforcement:

There will be no enforcement at this stage.

### **Stage II: Voluntary 50% reduction in outdoor water use**

Upon declaration of a Stage II Water Shortage, the following restrictions shall apply to the use of water from the City's water system: the City will increase public communication and education efforts aimed at water conservation, will encourage the community to conserve water wherever possible and otherwise promote the efficient use of water. During a Stage II shortage, water customers are encouraged, in addition to normal water conservation, to specifically follow the voluntary water conservation measures set forth below:

Action:

1. Request a city wide 50% reduction in outdoor water use.
2. Remind customers to optimize their irrigation systems so water is not directed onto impervious surfaces and turf is not overwatered.
3. Reinforce the recommendation for customers to irrigate on alternate days and early in the morning.
4. Encourage wise use of water during outdoor activities including; washing cars, playing in the sprinkler, playing with water toys, and filling swimming pools.
5. Encourage wise use of water indoors including; identifying and repairing leaking fixtures, washing only full loads in dish washers and washing machines and taking shorter showers.
6. Suspend high water use, non-essential municipal operations.

Enforcement:

There will be no enforcement at this stage.

### **Stage III: Turf irrigation prohibited and no use of automatic irrigation systems**

Upon declaration of a Stage III Water Shortage, the following restrictions shall apply to the use of water from the City's water system: the City will increase public communication and

education efforts aimed at water conservation, will encourage the community to conserve water wherever possible and otherwise promote the efficient use of water. During a Stage III shortage, water customers are encouraged, in addition to normal water conservation, to specifically follow the mandatory water conservation measures set forth below:

Action:

1. All actions required in a Stage II Water shortage, not in conflict with these Stage III Actions.
2. Require customer to further reduce water consumption by suspending all turf irrigation and the use of all automatic irrigation systems.

Enforcement:

Customers observed by City personnel in violation of this policy will be notified by a tag left on the property. If such activities are not suspended within 48 hours, water service will be terminated and the termination fee, as referenced in Section 92.05(4) will apply. Water service will be restored only upon receipt by the City of Norwalk of an undertaking by the customer that the customer understands and will comply with the mandatory conservation measures. Any subsequent violations will result in further termination of service and will be deemed an unauthorized use of water and shall be considered a repeat offense.

#### **Stage IV: Mandatory water rationing**

Upon declaration of a Stage IV Water Shortage, the following restrictions shall apply to the use of water from the City's water system: the City will increase public communication and education efforts aimed at water conservation, will encourage the community to conserve water wherever possible and otherwise promote the efficient use of water. During a Stage IV shortage, water customers are mandated, in addition to normal water conservation, to specifically follow the mandatory water conservation measures set forth below:

Action:

1. All actions required in a Stage II Water shortage and a Stage III Water shortage not in conflict with these Stage IV Actions.
2. Water rationing measures will be implemented and enforced by the application of an Emergency Water Shortage Rate. In order to implement such a rate, the Des Moines Water Works shall set a target level for demand consistent with its current capacity and shall use such target to establish a Rationing Factor. All customers will be asked to reduce their consumption to a level at or below the Stage IV Monthly Water Ration amount and consumption above such level, will be charged at the Emergency Water Shortage Rate intended to accurately reflect the additional expense incurred by the City to deliver water service to its citizens during the shortage.

Enforcement:

**Stage IV Monthly Water Rationing means for each customer the typical off-peak consumption of such customer multiplied by an announced Rationing Factor. Typical off-peak consumption shall be computed as of the date that the Stage IV is invoked as the**

mean monthly consumption of the customer for the immediately preceding months of March, April, and May. The Rationing Factor shall be a percentage as announced by Des Moines Water Works and designed to effectively reduce consumption the level as required by the prevailing circumstances.

**While Stage IV is in effect, all water used beyond the Stage IV Monthly Water Ration for each customer will be billed at the Emergency Water Shortage Rate. Emergency Water Shortage Rate shall be four times the rate otherwise applicable to each customer.**

Section 5. – Relief from compliance.

A. Within 20 days after the date of a first notice of violation, a person may file an application for relief from any provision of this Ordinance. The City Manager or his or her designee shall grant, conditionally grant, or deny the application.

B. In determining whether to grant relief and the nature of any relief, the City Manager or his or her designee shall take into consideration all relevant factors including, but not limited to, the following:

1. Water uses during construction; and
2. Adjustments to water use caused by emergency health or safety hazards.
3. Alternative water reduction measures being proposed by the applicant.

Section 6. Repealer. This ordinance will repeal all ordinances or parts of ordinances in conflict with the provisions of this ordinance.

Section 7. Severability Clause. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 8. When Effective. This ordinance shall be in full force and effect upon final passage, approval, and publication as provided by law.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Published on \_\_\_\_\_, 2018.