

## ORDINANCE 158-16

AN ORDINANCE OF THE CITY OF UNION CITY AUTHORIZING THE  
DECLARATION OF WATER SHORTAGE EMERGENCIES AND THE  
IMPLEMENTATION GUIDELINES FOR WATER SHORTAGE EMERGENCIES

WHEREAS, water being a finite resource; and

WHEREAS, during a water shortage emergency, it is necessary to impose restrictions on the use of water; and

WHEREAS, such restrictions require a written plan of implementation during a water shortage emergency; and

WHEREAS, such implementation procedures must be enacted fairly and quickly for the public's health and safety.

**NOW THEREFORE**, be it ordained by the Mayor and City Council of the City of Union City, Tennessee, that:

**SECTION 1.** Section 127 of Title 18 of the Municipal Code is hereby repealed in its entirety.

**SECTION 2.** Title 18 of the Municipal Code of the city of Union City is amended by adding Chapter 6, entitled "Water Shortage Emergencies."

**18-601** The City Manager or his or her designee, the Director of the Water Department, is hereby authorized to declare a water shortage emergency to exist in accordance with the standards set out in Section 18-603. The declarer must immediately attempt to contact the Mayor and the entire City Council to inform them of the emergency action. An end to a water shortage emergency must be declared by the City Manager and the Director of Water.

**18-602** The following situations are prohibited within the system's service area, when a water shortage emergency has been declared:

- A. Permitting unreasonable amounts of water to escape down a gutter, ditch or other surface drain while using water for a legitimate purpose;
- B. Failure to repair a controllable leak of water;
- C. Failure to put to reasonable beneficial use any use of water withdrawn from the system; and
- D. Use of a lawn sprinkler system during or immediately after a rain event.

**18-603** The declaration of a water shortage emergency shall designate whether it is a category 1, 2, 3 or 4 water shortage emergency as outlined in Section 18-605 of this ordinance.

**18-604** The declaration may be scaled up or down during the emergency, as declared by the City manager or his or her designee.

**18-605** There are four categories of water shortage emergencies. They are listed below with an initiating condition and the actions to be taken in each category:

<u>Category</u>	<u>Initiating Conditions</u>	<u>Actions</u>
1. Water Alert	Drought conditions in the region,	Voluntary water reduction
	or	
	Water demand reaches 70 percentage	

of supply for 5 or more consecutive days  
or

Water storage is approaching the  
minimum volume required for fire

- |                      |  |  |
|----------------------|--|--|
| 2. Serious Shortage  | Water demand reaches 80 percentage of supply for 5 or more consecutive days.                             | Mandatory water reduction  |
| 3. Critical Shortage | Water Demand reaches 100 percent or greater of supply for 5 or more consecutive days.                    | Water use prohibitions   |
| 4. Water Emergency   | System failure or treatment plant failure, supply or system contamination, any other catastrophic event. | Immediate notification of customers, implementation of category 2 and 3 actions, seek assistance from other agencies, emergency council sessions |

**18-606** The following will be implemented as listed for each of the water shortage categories in section 5 once a water shortage emergency has been declared.

A. Category 1---Water Alert

The declaration will activate a process to notify the customers of the potential water shortage and what voluntary measures that are asked to be implemented.

The customers will be asked to voluntarily:

1. Cease frivolous use of water.
2. Cease watering the landscape between the hours of 9:00 am to 7:00 pm.
3. Water landscape during the hours not listed above, on alternative days. (Even numbered addresses on even days, odd numbered addresses on odd days.)
4. Notify the local news media, if appropriate, to ask for their assistance in notifying customers.

B. Category 2---Serious Water Shortage

The declaration will activate a process to notify the customers of the potential water shortage and what mandatory water restrictions are in effect.

1. Cease frivolous use of water.
2. Notify the local news media, if appropriate, to ask for their assistance in notifying customers.
3. Notify outside agencies for assistance.
4. Notify all fire departments of the situation.
5. Watering of landscape is prohibited, except for sod or plants which were planted within the last two (2) weeks.
6. Commercial greenhouses and greenery suppliers will limit their watering of plants to every other day. Watering will not be allowed from 9:00 am to 7:00 pm. Drip style irrigation shall be utilized unless permission to use other styles has been granted by the City Manager or his or her designee.

7. No water for washing motorbikes, motor vehicles, boat trailers, or other vehicles except at a commercial washing facility that practices wash water recycling. (Exceptions include vehicles that must be cleaned to maintain public health and welfare such as food carriers and solid waste transfer vehicles.)
8. No water to wash sidewalks, walkways, driveways, parking lots, tennis courts, and other hard-surfaced areas.
9. No water to wash buildings and structures, except as needed for painting or construction.
10. No water for a fountain or pond for aesthetic or scenic purposes, except where necessary to support fish life.
11. Discourage serving water to customers in restaurants unless water is requested by the customer. This action does not provide significant water savings, but is useful for generating awareness of the need to curtail use.
12. Water only tees and greens and not other golf course areas.
13. No water for dust control unless absolutely necessary.
14. No water for gutter cleaning.
15. Flushing of fire hydrants or water mains will only be allowed to preserve water quality or system maintenance.
16. No water to fill, refill, or add to any indoor or outdoor swimming pools or hot tubs, except if one of the following conditions is met: the pool is used for a neighborhood fire control supply or the pool's use is required by a medical doctor's prescription.

C. Category 3---Critical Water Shortage

The declaration will activate a process to notify the customers of the potential water shortage and what mandatory water restrictions are in effect.

1. All Category 2 restrictions will be in effect.
2. No water from hydrants for construction purposes (except on a case-by case basis), fire drills, or any purpose other than fire fighting.
3. Implement limitations on commercial uses of water, depending on the severity of the shortage.
4. Issue public service announcements to notify customers of the severity of the conditions.

D. Category 4---Emergency Water Shortage

The declaration will activate a process to notify the customers of the potential water shortage and what mandatory water restrictions are in effect.

1. All Category 2 and 3 restrictions will be in effect.
2. The Mayor shall call an emergency City Council meeting. The City Council may adopt other water usage based upon water use defined as essential use, domestic use or non-essential use per the definitions found in section 18-609 of this ordinance.
3. Implement other actions as deemed necessary by the city council.

18-607 The following will be used to enforce water restrictions:

## A. Serious Shortage

1. First Offense – A written warning will be issued
2. Second Offense – A \$50.00 fine
3. Third Offense – Customer's water service will be discontinued for a minimum of 15 days as determined by the City Manager or his or her designee.\* (A reconnection fee will be required to have service restored)

## B. Critical Shortage

1. First Offense – A written warning will be issued
2. Second Offense – A \$50.00 fine
3. Third Offense – Customer's water service will be discontinued for a minimum of 30 days as determined by the City Manager or his or her designee.\* (A reconnection fee will be required to have service restored)

## C. Water Emergency

1. First Offense – A written warning will be issued
2. Second Offense – A \$50.00 fine
3. Third Offense – Customer's water service will be discontinued for a minimum of 45 days as determined by the City Manager or his or her designee.\* (A reconnection fee will be required to have service restored)

\*Water service can be restored sooner if a declaration of no water restrictions is made, but a reconnection fee will still be required to reconnect water service.

**18-608** The city cannot and does not guarantee either sufficient supply or adequate or uniform pressure during a Water Shortage. The city shall not be liable for any damages or loss resulting from an inadequate or interrupted supply, from pressure variations, or for damages from the resumption of service when such conditions are not due to willful fault or neglect on its part.

**18-609** Definitions

- A. Essential Use: The use of water is strictly for fire fighting, safety, sanitation, health and medical purposes, and the use to satisfy federal, state and local public health and safety requirements.
- B. Domestic Use: Any use of water for household purpose such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial establishment.
- C. Non-Essential Use: All other uses for water other than Essential or domestic Use.

**SECTION 3.** This ordinance shall take effect ten (10) days from and after its passage on second and final reading, and after publication in the official city newspaper.

CITY OF UNION CITY, TENNESSEE

BY: Tommy Kelly  
Its Mayor

ATTEST:

Mary Gore  
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Tommy Kelly  
City Attorney

Passed on first reading: May 3, 2016  
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Passed on second reading: May 17, 2016  
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