

ORDINANCE 5-88

AN ORDINANCE PROVIDING FOR THE CONSERVATION  
AND RATIONING OF WATER.

BE IT RESOLVED by the Board of Trustees of the Town of Plainfield, Indiana,

WHEREAS, from time to time climatic and other conditions, both natural and man made, may arise or occur which cause a temporary shortage of water; and

WHEREAS, such conditions may affect the Town's ability to provide either an adequate supply of water or the Town may be unable to maintain adequate water pressure in the water system; and

WHEREAS, in such event it is imperative to the well-being of the citizens of the Town that the use of water not essential to the health, welfare, and safety of the Town and its citizens be restricted;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Plainfield:

SECTION 1. Application. This ordinance shall apply to all persons who are now or will be future users or customers of the Town of Plainfield's water utility, unless otherwise excepted by this Ordinance.

SECTION 2. Definitions. For purposes of this Ordinance, the following terms, phrases and words are defined herein. Words used in the present tense, include the future, words in the plural include the singular and words in the singular include the plural. The word "shall" is always meant to be mandatory and not merely directory. Words of gender are intended to be interchangeable without regard to sexual designation.

1. "Town", is the Town of Plainfield.
2. "Person", is any person, firm, partnership, association, corporation, company, or organization of any kind.
3. "Water", is water from the Town municipal water

system.

4. "User/Customer", is any person whose residence and/or business is connected to the water utility, whether legally or illegally, failure of a person to pay for the water they receive from the utility shall not otherwise prevent them from being classified as a user or customer.
5. "President", shall mean the president of the Town of Plainfield Board of Trustees or, in his or her absence, the Vice-President.

SECTION 3. Declaration of Need for Water Conservation. Upon determining that the Town municipal water system is in imminent danger of a shortage of water or is experiencing a shortage of water, is unable to maintain adequate water pressure in the system, the water demands of the system exceed the ability to service these demands, major malfunctions or breakdowns of equipment have occurred or other circumstances have caused an actual or imminent danger to the water supply, the President shall declare a water conservation emergency and establish the level of conservation appropriate to the existing circumstances. The level of conservation declared shall remain in effect for seven (7) days subject to extensions of like periods, no level of conservation shall be extended more than three consecutive times without the consent of the Board of Trustees.

SECTION 4. Levels of Conservation. In order to implement a water conservation program appropriate to the needs of the water utility and its users, the following levels of conservation are established:

Level 1 - Voluntary Conservation.

Level 2 - Restricted Water Use.

Level 3 - Prohibited Water Use.

Level 4 - Water Rationing.

SECTION 5. ~~Level 1~~ Voluntary Conservation. Level 1 - Voluntary Conservation shall be comprised of the following:

1. Requesting that the users engage in a conscious effort to reduce water consumption by practicing such

voluntary water conservation techniques as will be helpful in managing the then existing water shortage or crisis.

2. Suggesting reasonable and meaningful actions that users can take which will be beneficial to the alleviation of the then existing water shortage or crisis.

SECTION 6. Level 2 - Restricted Use. Level 2 - Restricted Use

shall be comprised of methods restricting water usage by users to such times, terms and conditions as the President and/or Board of Trustees shall determine appropriate, Level 2 does not contemplate a severe water shortage, but rather that mandatory conservation methods must be imposed to insure adequate water and pressure for future needs.

Restricted Use shall include, but not be limited to the following:

1. Sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, or any other vegetation.
2. Washing of automobiles, trucks, trailers, trailer houses, railroad cars or any other type of mobile equipment.
3. Cleaning of outdoor surfaces such as sidewalks, driveways, filling station aprons, porches and other outdoor surfaces.
4. Washing and cleaning of any business equipment or machinery.
5. Operation of ornamental fountains.
6. Swimming pools and wading pools not employing a filter and recirculating system.
7. Knowingly allowing leakage through defective plumbing.

SECTION 7. Level 3 - Prohibitive Use. Level 3 - Prohibitive Use

shall be comprised of the following:

1. Level 3 prohibitions shall include the water usage restrictions listed in Section 6.
2. Users shall be subjected to additional prohibitions which will be determined by the Board of Trustees as conditions and needs dictate.

SECTION 8. Level 4 - Rationing. In addition to the water use

prohibitions identified in Section 6 and Section 7, and in accordance with Section 9, users shall be limited to water use per the following schedule:

1. Residential use shall be limited to one hundred and five (105) gallons of water per dwelling unit per day.
2. Apartment buildings, apartment complexes, and multi-family dwellings with a single water meter shall be limited to a total consumption not to exceed one hundred and five (105) gallons per dwelling unit per

day.

3. Business, commercial, and industrial users shall be limited to sixty-five percent (65%) of the volume of water used during the corresponding month of the preceding year. Business, commercial, and industrial users that were not in business and operating in the area served by the Town water utility more than one year prior to the declaration of need shall be restricted to sixty-five percent (65%) of the average monthly volume of water used during the number of months such business, commercial, or industrial user was in business and operating in the Town.
4. Nothing in Section 7. shall prevent the Board of Trustees from imposing more restrictive water rationing measures.

SECTION 9. Notice of Water Conservation Level to Users. In order to inform users of the water conservation level in effect, the water utility shall give its users notice as soon as it is practical. Notice of Level 1 shall be by publication in a local newspaper of general circulation or by other means as deemed appropriate by the Board of Trustees. Said notice shall be effective upon publication. Notice of Levels 2, 3, and 4, shall be sent by the water utility to each user, at their last known address, by first class mail, postage prepaid. Notice of Levels 2, 3, and 4, shall be deemed effective at noon the third day after depositing same in the United States Mail.

SECTION 10. Exceptions. The Board of Trustees reserve the right to establish alternative water conservation and rationing requirements for the following:

1. Health Care providers.
2. A reasonable use of water to maintain adequate health and sanitary standards.
3. Those industrial and agricultural activities declared by the Board of Trustees to be necessary for the public health and well being.

SECTION 11. Enforcement. Any person violating the provisions of Level 2 - Water Conservation, shall be subject to a first time written warning by either the Town of Plainfield Metropolitan Police Department or a Water Utility employee or such other duly authorized and designated employee of the Town. In the event said user continues to violate or subsequently violates the water conservation restrictions imposed by Level 2, that person shall be cited with a written citation and subject to a fine up to Two Hundred and Fifty dollars (\$250.00).

A person who violates water conservation Levels 3 or 4 shall be cited by the Town of Plainfield Metropolitan Police Department or Water Utility employee, or such other duly authorized and designated employee of the Town, with violation of this Ordinance. A fine may be imposed against said violator in the sum up to Two Hundred and Fifty dollars (\$250.00). Additionally, the water utility shall disconnect the water service to any such user or customer, at the time the citation is issued, or as soon thereafter as possible. Water service shall be reconnected upon the payment of a reconnection fee in the sum of One Hundred dollars (\$100.00).

SECTION 12. Saving Clauses. In the event any provision of this Ordinance shall be declared by any court of competent jurisdiction to be void or unenforceable, the same shall not affect the remaining paragraphs or provisions in this Ordinance.

SECTION 13. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Board of Trustees, due to the existance of an emergency requiring its passage.

Upon passage, this Ordinance shall be effective by posting in three public places in each of the five (5) board districts from which members of the Board are elected.

PASSED AND ADOPTED this 12<sup>th</sup> day of September, 1988.

BOARD OF TRUSTEES OF  
THE TOWN OF PLAINFIELD, INDIANA

Robert M. Wood  
President, Board of Trustees

James D. Kelly  
Member

W. A. Naddy  
Member

Henry M. Hays  
Member

Robert G. Beauchamp  
Member

Constituting a majority of all of the members of the Board of Trustees.

ATTESTED BY:

Juliana M. Hummel  
Juliana M. Hummel, Clerk-Treasurer  
of the Town of Plainfield, Indiana