

ORDINANCE NO. 2021-10

AN ORDINANCE ESTABLISHING WATER USAGE RESTRICTIONS AND WATER CONSERVATION MEASURES IN THE CITY OF VOLGA, SOUTH DAKOTA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VOLGA, SOUTH DAKOTA, THAT VOLGA ORDINANCE SECTION 13.4-4 BE AMENDED, SECTION 13.4-5 AND SECTION 13.4-6 BE ADDED, AND SECTIONS 13.4-5 AND 13.4-6 SHALL BE RENUMBERED IN ACCORDANCE WITH THE NUMBERING SYSTEM OF THIS CODE AS FOLLOWS:

I.

Section 13.4-4 – Restrictions The City reserves the right to at any time restrict the use of water from the water system and to prevent the use of water from the water system for purposes which, in the sole discretion of the City Council, may jeopardize the City’s ability to meet its objectives of providing adequate amounts of potable water to the community and protecting the health, safety, general welfare of the community, and to maintain maximum fire protection. The Council shall authorize the imposition of water conservation measures established in Section 13.4-5. The City Council may grant exceptions from any water restrictions imposed if it finds and determines that the restrictions are not warranted by weather conditions or would cause an unnecessary and undue economic or other hardship to the applicant or to the public. Any person in violation of this Section shall be subject to a fine as established in Section 13.4-8.

Section 13.4-5 Water Conservation Measures Established For the purposes of regulating and conserving the use of water, the following measures are established and shall be enforced.

Water Alert Levels. The Council shall authorize the imposition of these restrictions. The Finance Officer shall notify municipal water system users of the Council's determination by publishing notice in the official newspaper and on the City's Website. The day and time for sprinkling, watering or irrigating yards and grass by any method may be regulated or prohibited as follows:

1. **Level 1** - Lawn watering restricted to three (3) days per week using the watering schedule below. The last digit of the address shall determine the authorized watering date. Water use shall occur before 10:00 a.m. or after 5:00 p.m. No watering is permitted other than pursuant to the following chart:

Address ending in:	Day watering may occur:
0, 2, 4, 6, 8	Monday
1, 3, 5, 7, 9	Tuesday
0, 2, 4, 6, 8	Wednesday
1, 3, 5, 7, 9	Thursday
0, 2, 4, 6, 8	Friday
1, 3, 5, 7, 9	Saturday
No Watering Allowed	Sunday

2. **Level 2** - Lawn watering restricted to two (2) days per week using the watering schedule below. The last digit of the address shall determine the authorized watering date. Water use shall occur before 10:00 a.m. or after 5:00 p.m. No watering is permitted other than pursuant to the following chart:

Address ending in:	Day watering may occur:
0, 1, 2	Monday
3, 4, 5	Tuesday
6, 7, 8, 9	Wednesday
0, 1, 2	Thursday
3, 4, 5	Friday
6, 7, 8, 9	Saturday
No Watering Allowed	Sunday

3. **Level 3** - Lawn watering restricted to one (1) day per week using the watering schedule below. The last digit of the address shall determine the authorized watering date. Water use shall occur before 10:00 a.m. or after 5:00 p.m. No watering is permitted other than pursuant to the following chart:

Address ending in:	Day watering may occur:
0 or 1	Monday
2 or 3	Tuesday
4 or 5	Wednesday
6 or 7	Thursday
8 or 9	Friday
No Watering Allowed	Saturday
No Watering Allowed	Sunday

4. **Level 4** - No lawn watering and any other non-essential water uses determined by the Council permitted.

Section 13.4-8 Violations. It shall be unlawful for any person to violate any of the provisions of this ordinance. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under the Code of Ordinances of the City of Volga. Any individual found in violation of this ordinance shall be subject to a penalty fee of \$100.00 for each violation, payable within five business days of the time when the notice of violation was given to the office of the Finance Officer in full resolution of the violation. Upon failure of the individual to pay the penalty fee to the office of the Finance Officer within the time period indicated, and upon conviction of a violation of this ordinance, the individual in violation shall be subject to a fine in Magistrate Court in the amount of \$200.00 plus court costs. The individual cited has the right to contest the penalty or citation and plead "not guilty" and have the matter transferred to Magistrate Court. The penalties in this ordinance may be adjusted by resolution of the City Council.

II.

That Volga Ordinance Section 13.4-5 Unauthorized Uses shall be renumbered as Section 13.4-6. That Volga Ordinance Section 13.4-6 Extensions shall be renumbered as Section 13.4-7.

III.

This ordinance is for the purpose of protecting the safety, general welfare, and fire protection of the community and is declared to be an emergency and shall be effective upon passage and publication. Any or all ordinances in conflict herewith are hereby repealed.

FIRST READING: _____

SECOND READING: _____

PUBLISHED: _____

CITY OF VOLGA

ATTEST:

Randy Santema, Mayor

Krista Larson, Finance Officer