

ORDINANCE NUMBER 2005-05

SHORT TITLE: AN ORDINANCE EMPOWERING THE MAYOR TO ENFORCE CONSERVATION MEASURES, DURING A DROUGHT OR IN OTHER EMERGENCY SITUATIONS, OF WATER SUPPLIED BY THE PERRYVILLE WATER SYSTEM; PROVIDING A SEVERABILITY CLAUSE, ESTABLISHING PENALTIES, AND DECLARING AN EMERGENCY.

WHEREAS, it is hereby determined that in order for the city to provide and maintain a sufficient and manageable water supply and distribution system for human consumption, sanitation and fire protection, and to ensure the safety and well-being of the users of water provided by the city, it is necessary to manage water service demands on the water supply, transmission and distribution systems of the city by limiting water consumption through restrictions and prohibitions on the use of city water when the mayor has determined and declared an emergency due to droughts or other situations.

NOW THEREFORE BE IT ORDAINED by the City Council of the city of Perryville,

SECTION 1 – Duties of the Mayor

- (A) From and after the date an emergency is declared, the Mayor or his duly authorized designee shall have the power to regulate the use of water obtained from the city water system, so as to ensure the health and safety of the citizens and property of the city.

SECTION 2 – Water Use Restricted

- (A) From and after the date an emergency is declared, no person shall use water obtained from the city water system:
- (1) For purposes other than essential uses necessary to the preservation of health and safety.
 - (2) For irrigation, sprinkling or watering of lawns, washing of cars, watering of gardens, flowers, shrubs, or cleaning of sidewalks, driveways, parking lots, porches, patios, buildings, or similar non-essential purposes.

SECTION 3 – Cases of Non-Compliance

- (A) The Mayor, or his duly authorized designee, shall enforce compliance with the above restrictions by disconnecting water service to the non-compliant consumer, providing a minimum of two hours advance notification has been furnished the owner, operator, manager, or occupant of the premises in question.
- (B) Such notice may be verbal, in writing, or posted publicly on the premises.

SECTION 4 – Penalties

- (A) Any person who shall violate any provision of this Ordinance shall be subject to a fine of not more than \$500 for each offense.
- (B) When applicable, each time a violation occurs shall be considered a separate offense and each such separate offense may be punished separately.

SECTION 5 - Repeal and Severability

- (A) All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

- (B) If for any reason any portion of this Ordinance be held invalid, such invalidity shall in no way affect the remaining portions hereof which are valid, but such valid portions shall be and remain in full force and effect.

SECTION 6 - Emergency Declared

- (A.) Cognizant that situations now exist potentially threatening to the public peace, health and safety which are best addressed as soon as possible, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its adoption and signing.

PASSED ON THIS 22 DAY OF November IN THE YEAR OF 2005

BY A VOTE OF: 4 YES 0 NO

Signed:



MAYOR

Attest:



RECORDER/TREASURER