

ORDINANCE NO: _____

AN ORDINANCE OF EAST ROCKHILL TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, AMENDING ITS CODE OF ORDINANCES, CHAPTER 26, WATER, BY ADDING PART 4, WATER RESTRICTION USE PLAN, AND ESTABLISHING REGULATIONS FOR THE CONSERVATION OF WATER RESOURCES WITHIN THE TOWNSHIP, PROVIDING FOR THE EQUITABLE DISTRIBUTION AND RESTRICTION OF CERTAIN WATER SUPPLIES, AND PROVIDING PENALTIES FOR VIOLATIONS

WHEREAS, The Township of East Rockhill is empowered to ensure the public health, safety and welfare pursuant to the Second Class Township Code, 53 P.S. §65101 et seq.;

WHEREAS, The Board of Supervisors of East Rockhill Township has determined that the excessive use of water for nonessential water uses during a drought emergency can be detrimental to the health, safety and welfare of the Township's inhabitants and should be controlled to a certain extent;

WHEREAS, It is the purpose and scope of this Ordinance to provide regulations that govern the use of water within East Rockhill Township during a drought emergency in accordance with the applicable Federal, State and Local law; and,

WHEREAS, The East Rockhill Township Board of Supervisors, upon the recommendation of the East Rockhill Township Planning Commission, and pursuant to Pennsylvania law, hereby enacts and ordains the following Ordinance amending Chapter 26 of the East Rockhill Township Code of Ordinances, Water, by adding Part 4, Water Restriction Use Plan as follows:

ARTICLE I.

Chapter 26, Water, of the Code of Ordinances of East Rockhill Township is hereby amended by the addition of Part 4, Water Restriction Use Plan, which shall state the following:

PART 4

WATER RESTRICTION USE PLAN

§26-401. Purpose.

This local water use restriction plan is intended to establish measures for essential conservation of water resources and to provide for equitable distribution of limited water supplies in order to

balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety within East Rockhill Township.

§26-402. Scope.

This plan shall apply to all users of water in East Rockhill Township and to all residents of East Rockhill Township who own, maintain and/or use private wells as their source of water and to all residents of East Rockhill Township who are serviced by public water suppliers such as the Perkasie Borough Authority.

§26-403. Declaration of Drought Emergency.

Once the Emergency Management Coordinator of East Rockhill Township, or other designated representative from the Township, advises the Board of Supervisors that a drought emergency or other water shortage exists, the Board of Supervisors may, at its next regularly scheduled meeting, declare an emergency and adopt a resolution which provides for the implementation of a drought emergency and the prohibition of nonessential water uses as set forth in this Chapter, and shall indicate the effective date of said prohibitions. When the Emergency Management Coordinator of East Rockhill Township, or other designated representative from the Township, determines that the drought emergency or other water shortage has ended, the Board of Supervisors may, by resolution adopted at its regularly scheduled meeting, terminate the water use restrictions and prohibitions on the date set forth in said resolution.

§26-404. Water use Restriction; Prohibited Nonessential Water Uses.

1. The following nonessential uses of water shall be banned by resolution of the Board of Supervisors of East Rockhill Township in the event of a drought emergency in accordance with the provisions listed below:
 - A. The use of water for watering lawns, except:
 - (1) Water may be applied to grass areas as part of a sewage or stormwater treatment system utilizing spray irrigation.
 - (2) Water may be applied at the minimum rate necessary to maintain grass tennis courts to the extent that sources of water other than fresh water adequate to supply needs are not available or feasible to use.
 - (3) Water may be used at the minimum rate necessary to establish and maintain newly seeded and sodded grass areas when applied between hours of 5:00 p.m. and 9:00 a.m., by means of a bucket, can or hand-held hose equipped with an automatic shut-off nozzle.
 - (4) Water may be used at the minimum rate necessary to establish and maintain newly seeded or sodded nonresidential grass areas exceeding 10,000 square feet when applied between the hours of 5:00 p.m. and 9:00

a.m., by any means designed and operated to assure effective conservation of the water.

- B. The use of fresh water for irrigation and watering of outdoor gardens, landscaped areas, trees, shrubs and other outdoor plants by means of other than a bucket, pail or hand-held hose equipped with an automatic shut-off nozzle, when applied between the hours of 5:00 p.m. and 9:00 a.m., except:
- (1) Fresh water may be used for agricultural irrigation for the production of food and fiber, the maintenance of livestock and poultry, or the production of nursery stock.
 - (2) Fresh water may be applied by means of a hand-held container or hand-held hose equipped with an automatic shut-off nozzle at the minimum rate necessary to establish and maintain newly planted gardens, trees, shrubs or other outdoor plants. Sources of water other than fresh water should be used where available.
 - (3) Fresh water may be used by commercial nurseries at the minimum rate necessary to maintain stock only to the extent that the sources of water other than fresh water adequate to supply needs are not available or feasible to use.
 - (4) Fresh water may be used by arboretums and public gardens of National, State or regional significance at the minimum rate necessary to preserve specimens to the extent that sources of water other than fresh water adequate to supply needs are not available or feasible to use.
 - (5) Fresh water may be used at the minimum rate necessary to implement revegetation following earthmoving, where such revegetation is required pursuant to an approved erosion and sedimentation control plan adopted pursuant to State law or regulation to the extent that sources of water, other than fresh water, adequate to supply needs are not available or feasible to use. Revegetation use shall comply with all applicable best conservation management practices of such revegetation as prescribed by the Pennsylvania Department of Environmental Protection and the Bucks County Conservation District.
- C. The use of fresh water for watering any portion of golf courses, except for tees and greens, for which water may be applied during the hours of 5:00 p.m. and 9:00 a.m.
- D. The use of any water for washing paved surfaces such as streets, roads, sidewalks, driveways, garages, parking areas, tennis courts and patios, except:

- (1) Water may be used for prewashing in preparation of asphalt street or driveway recoating and sealing.
 - (2) Water may be used at the minimum rate necessary for the maintenance of tennis courts composed of clay or similar materials by means of a hand-held hose equipped with an automatic shut-off nozzle.
 - (3) Water may be used at the minimum rate necessary for sanitation of the premises of eating and drinking places.
- E. The use of any water for ornamental purposes, including fountains, artificial waterfalls, and reflecting pools.
- F. The use of any water for washing or cleaning of mobile equipment, including automobiles, trucks, trailers and boats, except:
- (1) Water may be used by commercial car washers equipped with facilities that recycle water or with timed water dispensing equipment which restricts flow to three gallons per minute.
 - (2) Water may be used for cleaning of construction, public transportation or government vehicles where necessary to preserve the proper functioning of the vehicle.
- G. The serving of water in restaurants, clubs or eating places unless specifically requested by the individual.
- H. The use of water to fill and top off swimming pools, except water may be used for the following:
- (1) To fill and top off public swimming pools and residential pools serving 25 or more dwelling units, if the pools have filtration equipment allowing for continued use and recycling of water over the swimming season.
 - (2) To fill and top off swimming pools operated by health care facilities used in connection with patient care and rehabilitation.
 - (3) To fill and top off other pools in accordance with the following requirements:
 - (a) The pool may be filled or topped off only if approved by the public water supply system from which the water is withdrawn. If water is obtained from other sources, permission from the owner of the source is required.

(b) Pools shall have filtration equipment allowing for continued use and recycling of the water over the swimming season.

I. Exemption from the ban on nonessential uses may be granted by the Pennsylvania Emergency Management Council in accordance with established procedures within the Commonwealth of Pennsylvania.

2. In addition to prohibited uses, all water consumers will be encouraged to save water on a voluntary basis.

§26-405. Public Water; Drought Plans

East Rockhill Township residents that receive their water from a public water supplier, such as the Perkasio Borough Authority, shall comply with their supplier's applicable drought plan, in addition to the requirements and restrictions set forth in this Chapter, if a drought emergency is declared by the East Rockhill Township Board of Supervisors. In the event there is a conflict between this Ordinance and a public water supplier's drought plan, the more restrictive provision shall govern.

§26-406. Violations and Penalties.

Any person, firm or corporation violating any of the provisions of this Part shall, upon conviction thereof, be subject to a penalty not exceeding \$300.00, together with costs of prosecution and/or imprisonment for a term not exceeding 30 days.

ARTICLE II.

Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ARTICLE III.

Severability. If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

ARTICLE III.

Effective Date. This Ordinance shall become effective five (5) days after its passage or adoption.

ENACTED AND ORDAINED this 18th day of November, A.D., 2008.

EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS

Attest: _____

David R. Nyman

John R. Cressman

Gary W. Volovnik