

CHAPTER 13

WATER

ARTICLE 13-1 Water System Administration

- 13-1-1 Management of Water System
- 13-1-2 Receipts and Deposits

Section 13-1-1 Management of Water System

The Town Manager shall have the immediate control and management of the administration of the Town water system and shall perform, or cause to be performed, all acts that may be necessary for the prudent, efficient, and economical management and protection of said water system. The Council shall have the power to prescribe such other and further rates, rules and regulations as it may deem necessary.

[Ord. 341, 1/09/2007]

Section 13-1-2 Receipts and Deposits

The Town Manager shall keep a correct account of all receipts, make out all bills for water and materials furnished to consumers, collect the same, and deposit the proceeds so collected to the credit of the Town, and in accordance with the direction of the Council.

[Ord. 341, 1/09/2007]

ARTICLE 13-2 Application for Service and Discontinuance of Service

- 13-2-1 Application for Water Service
- 13-2-2 Grounds for Rejection of Application
- 13-2-3 Violation of Application Provisions

Section 13-2-1 Application for Water Service

Application for the use of water service shall be made in person, at the Town Hall, to the Clerk by the owner or agent of the property to be benefited, designating the location of the property and stating the purpose for which the water may be required.

Section 13-2-2 Grounds for Rejection of Application

The Town may reject any application for water service for any good and sufficient reasons including the following: service not available under a standard rate, service which involves excessive service expense, service which may affect the service to other consumers, service when the applicant is delinquent in payment of bills incurred for service previously supplied at any location.

Section 13-2-3 Violation of Application Provisions

For violation of any of the provisions relating to application for service, the Town shall, at the expiration of seven days after mailing written notice to the last known address of the consumer, at its option, remove the meter and discontinue service. Where the meter is thereafter reinstalled, the consumer shall first pay to the Town a reinstallation charge of five dollars (\$5.00).

ARTICLE 13-3 **Deposit**

13-3-1 Deposit Required

13-3-2 Payment Responsibility

Section 13-3-1 Deposit Required

There shall be charged to all persons applying for water service to be provided to any premises, before such service commences, a deposit of twenty two dollars and fifty cents (\$22.50) for water service, or, at the option of the Clerk, a deposit equal to but not less than twice the estimated amount of the probable monthly bill. Deposits shall be non-interest bearing and shall be refunded to the consumer upon discontinuance of service and payment of charges, provided that charges may be deducted from said security deposit before the refund is made.

Section 13-3-2 Payment Responsibility

The record owner of all real property receiving Town utilities services including water service, sewer service, and/or garbage collection service, shall be ultimately responsible for payment of charges for said services to the Town, regardless of who resides at the property. In the event the record owner leases said property or a portion thereof, the record owner shall notify the Town and the record owner shall further advise the Town of the termination of the tenant's occupancy. The record owner shall be billed for the utilities and services.

[Ord. 198, 2/14/1984; Ord. 278, 8/21/1995; Ord. 317, 2/25/2003]

ARTICLE 13-4 **Discontinuance of Service**

13-4-1 Notice Required

13-4-2 Service May Be Discontinued Under Certain Conditions

Section 13-4-1 Notice Required

Any person who desires to discontinue the use of water service shall file written notice with the Clerk at least three days in advance of intended termination of service. Responsibility for water service consumed extends to the time of departure or to the time specified for departure, whichever occurs last.

Section 13-4-2 Service May Be Discontinued Under Certain Conditions

The Town may discontinue water service upon any of the following conditions:

- A. To prevent fraud or abuse.
- B. Disregard of Town rules pertaining to water service.
- C. Emergency repairs.
- D. Insufficient supply caused by factors outside the control of the Town.
- E. Legal process.
- F. Direction of public authorities.
- G. Local emergency requiring emergency measures.
- H. Tampering with meter or other equipment by the consumer.
- I. Non-payment of water, sewer or sanitation charges, as provided in Section 13-5-3 of this Chapter.

[Ord. No. 368, 1/12/10]

ARTICLE 13-5 **Rates and Bills**

- 13-5-1 Water Rates
- 13-5-2 Minimum Rate
- 13-5-3 Water Bills; Disconnection of water service for non-payment of water, sewer or sanitation charges.
- 13-5-4 Notice Prior to Disconnect; Appeal and Lien
- 13-5-5 Turn Offs and Turn Ons
- 13-5-6 Unoccupied Units Liable
- 13-5-7 Commencement of Charges

Section 13-5-1 Water Rates

- A. Monthly Water Service Rates shall be set by Resolution of the Town Council.
- B. Water Hook Up Fees/Charges
 - 1. Requests for water hookups shall be made by the property owner in writing to the Town Manager on forms provided by the Town.
 - 2. Water hookup fees shall be set by Resolution of the Town Council.
 - 3. Materials, equipment and labor involved in connection, including the cost of the water meter, will be charged in addition to the hook up fees.
 - 4. Hook up fees may be paid no earlier than two years prior to issuance of a building permit. If a building permit is not issued before the two-year anniversary date of the payment, paid

fees shall be refunded to the depositor and fees must be repaid at that time at the rates then in effect prior to issuance of a building permit.

- C. Miscellaneous Water Fees and Charges shall be set by Resolution of the Town Council.
- D. Monthly Sewer Service Fees shall be set by Resolution of the Town Council.
- E. Sewer Hook Up Fees and Charges.
 - 1. Requests for sewer hookups shall be made by the property owner in writing to the Town Manager on forms provided by the Town.
 - 2. Sewer hookup fees shall be set by Resolution of the Town Council
 - 3. Materials, equipment and labor involved in connection will be charged in addition to the above the hook up fees.
 - 4. Hook up fees may be paid no earlier than two years prior to issuance of a building permit. If a building permit is not issued before the two-year anniversary date of the payment, paid fees shall be refunded to the depositor and fees must be repaid at that time at the rates then in effect prior to issuance of a building permit.

[Ord. 227, 8/08/1979; Ord. 272, 11/08/1994; Ord. 278, 8/21/1995; Ord. 281, 10/10/1995; Ord. 284, 10/10/1996; Ord. 307, 01/23/2001; Ord. 315, 10/08/2002, effective 12/01/2002; Ord. 337, 10/10/2006; Ord. 366, 12/17/09; Ord. 394, 3/12/2012; Ord. 397, 5/8/2012; Ord. 396, 8/14/2012; Ord. 398, 8/14/2012; Ord. 466, 2/9/2021; Ord. 467, 2/9/2021; Ord. 473, 8/10/2021].

Section 13-5-2 Minimum Rate

Service for a time period less than a month shall be charged at the minimum monthly rate.

Section 13-5-3 Water Bills; Disconnection of water service for non-payment of water, sewer or sanitation charges

- A. All notices sent out by the Town regarding water or sewer user or sanitation accounts, and all notices regarding any other matter pertaining to users of the Town water or sewer system, shall be sent to the address on record for such property. To insure proper delivery of notices, all errors in address should be promptly reported to the Town.
- B. All rates and service charges for water, sewer and sanitation are due and payable when rendered and shall be delinquent thirty (30) days after the date rendered. Any delinquent account requiring special collection effort may be assessed a delinquent collection charge to cover the additional cost as established by the Council. If the total of such bill shall not be paid within five days after the date of the delinquency and notice of delinquency having been given, water service may be disconnected from the premises of the delinquent consumer and a disconnect fee charged to the customer's account. The delinquent collection charge, the

disconnect fee plus the total amount of the bill due and any deposit, if such deposit is required, shall be collected before again providing water service.

- C. A consumer's water service may be disconnected for non-payment of a bill for water or sewer service rendered or sanitation charges assessed at a previous location served by the Town, provided such bill is not paid within thirty (30) days after the unpaid bill has been presented to the consumer at his/her new location.
- D. When a user of the water or sewer system has been notified of the amount of water, sewer and/or sanitation charges remaining due after the deduction of his/her security deposit, and payment for same has not been received, the Town may assign the account to a *bona fide* collection agency and/or proceed in accordance with the provisions of Section 13-5-4 below.

[Ord. 278, 8/21/1995; Ord. No. 368, 1/12/10]

Reviser's Note: Paragraph D of Section 13-5-3 was labeled "E" in Ordinance 278 but was corrected to "D" for purposes of consistency.

Section 13-5-4 Notice Prior to Disconnect, Appeal and Lien

- A. Before discontinuing water service for non-payment of any water or sewer user charge, sanitation charge, deposit or other assessment provided for in this Chapter, the Town Clerk shall give written notice to the person of the discontinuance and an opportunity to appear before the Town Manager or his/her designee on any disputed matter relative to the discontinuance of water service.
- B. If no protest is made regarding the amount of any charge, deposit or other assessment provided for in this Chapter, or if a protest is made and the Town Manager has affirmed or modified the amount of the charge, deposit or other assessment, the original charge, deposit or assessment, or as so modified, shall be recorded in the office of the county recorder and from the date of its recording shall be a lien on said lot or tract of land until paid. Such liens shall be subject and inferior to the lien for general taxes and to all prior recorded mortgages and encumbrances of record. A sale of the property to satisfy a lien obtained under the provisions of this section shall be made upon judgment of foreclosure or order of sale. The Town shall have the right to bring an action to enforce the lien in the superior court at any time after the recording of the assessment, but failure to enforce the lien by such action shall not affect its validity. The recorded assessment shall be *prima facie* evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to the recording thereof. A prior assessment for the purposes provided in this section shall not be a bar to a subsequent assessment or assessments for such purposes and any number of liens on the same lot or tract of and may be enforced in the same action.

[Ord. 278, 8/21/1995; Ord. No. 368, 1/12/10]

Section 13-5-5 Turn Offs and Turn Ons

A fee set by Resolution of the Town Council shall be assessed for each turn off and each turn on of water service for reasons other than change of occupancy.

[Ord. 473, 8/10/2021]

Section 13-5-6 Unoccupied Units Liable

The minimum charges for additional units or trailer spaces shall apply regardless of whether the unit or trailer space is occupied or unoccupied.

Section 13-5-7 Commencement of Charges

The Town shall commence service charges for a consumer when the water meter is installed and the water connection is made, regardless of whether the water service is used or not.

ARTICLE 13-6 **Consumer Responsibilities**

- 13-6-1 Consumer Water Facilities
- 13-6-2 Consumer Negligence
- 13-6-3 Right of Way
- 13-6-4 Installation of Lines
- 13-6-5 Protection of Town Property
- 13-6-6 Supplying Water to Others Prohibited
- 13-6-7 Commercial Use
- 13-6-8 Sprinkling Restrictions
- 13-6-9 Waste of Water Prohibited
- 13-6-10 Inspections

Section 13-6-1 Consumer Water Facilities

The consumer shall have complete responsibility for the installation and maintenance of adequate water facilities on the premises and the Town shall not in any way be responsible for the installation, maintenance, inspection, or damage of such facilities or damage caused by any defect in such facilities on the consumer's premises. Such facilities shall be maintained by the consumer in full compliance with any and all rules and regulations of the Town in addition to applicable state statutes.

Section 13-6-2 Consumer Negligence

If any damage to the Town water system or injury to Town employees is caused by the negligence of any consumer which requires any repairs, replacements or damages, the cost of such shall be added to that consumer's bill, and if such charges are not paid, the Town may utilize all remedies available to it under this Chapter for non-payment.

[Ord. 278, 8/21/1995]

Section 13-6-3 Right of Way

Each consumer shall provide to the Town such easement and right of way as is necessary to provide water service to that consumer.

Section 13-6-4 Installation of Lines

The Town may refuse to provide service unless the lines or piping are installed on the premises so as to prevent cross connections or backflow.

Section 13-6-5 Protection of Town Property

The consumer shall guarantee proper protection for Town property placed on his/her premises.

Section 13-6-6 Supplying Water to Others Prohibited

No occupant or owner of any building into which water is introduced will be allowed to supply water to other persons or families or for use on any other property, except that an owner of one lot may provide water to a non-occupied, noncontiguous lot owned or leased by the same owner, provided that both lots are situated within the Town of Jerome, and that the owner has legal access to the other noncontiguous lot. The Town reserves the right to shut off the water supply for abuses of water privileges.

[Ord. 399, 8/14/2012]

Section 13-6-7 Commercial Use

Any water service for commercial use shall not be included in a residential service account and shall have a separate meter and connection.

Section 13-6-8 Sprinkling Restrictions

In case of water shortage or scarcity, the Council may by resolution place any restrictions which it deems necessary upon the use of water for irrigation or sprinkling purposes.

Section 13-6-9 Waste of Water Prohibited

Consumers shall prevent unnecessary waste of water and keep all water outlets closed when not in actual use. All water outlets, including those used in conjunction with hydrants, urinals, water closets, bath tubs and other fixtures, must not be left running for any purpose other than the use for which they were intended. In addition to the penalty provided herein for code violations, the water supply may be turned off where any such waste occurs.

Section 13-6-10 Inspections

Whenever in the judgment of the Council it is deemed necessary, it may provide for the inspection of the premises or buildings of any water or sewer consumer for the purpose of examining the condition of all pipes, motors, meters and fixtures, or the manner in which such facilities are used.

[Codifier's note: Section 13-6-11, "Special Restrictions for Slow Flow Months or Extreme Drought Conditions," was removed after being superseded by new Article 13-9, added by Ord. 419, 8/8/16]

[Ord. 237, 6/27/1990; Ord. 346, 6/12/2007; Ord. 419, 8/8/16]

ARTICLE 13-7 Liability

- 13-7-1 Interruption of Service
- 13-7-2 Liability Limited

Section 13-7-1 Interruption of Service

The Town shall notify the consumer in advance of any anticipated interruption of service when such advance notice is possible. The Town shall not be responsible for any interruption of water service caused by forces beyond its control.

Section 13-7-2 Liability Limited

No liability shall attach to the Town for any injury or damages that may result from turning on or shutting off the water in any main, service connection, or pipe; or the restriction of use or discontinuance of any water service, or any failure of the water supply, regardless of any notice or lack of notice thereof. The Town shall not be held liable, in any respect, for the condition, defects, failure, or use of any pipe, connection, fixture, or appurtenance, not belonging to the Town, on any premises, or for loss or damage resulting therefrom.

ARTICLE 13-8 Regulations Part of Contract

All regulations contained in this chapter shall be considered a part of the contract of every resident of the Town taking water service from the Town and such resident taking water service shall be considered as having expressly consented to be bound thereby. Consumers outside the Town limits, shall, upon application for water service, be required to sign a statement agreeing to the regulations set forth in this chapter.

ARTICLE 13-9 Drought and Water Shortage Preparedness Plan

- 13-9-1 Definitions
- 13-9-2 Executive Summary
- 13-9-3 Purpose and Objectives
- 13-9-4 Authority
- 13-9-5 Best Practices/Industry Standards
- 13-9-6 Demand Reduction Strategies
- 13-9-7 Demand Reduction Strategy Implementation

- 13-9-8 Violations, Warnings, Surcharges
- 13-9-9 Appeal of Assessment of Surcharge
- 13-9-10 Plan Review and Amendments

Section 13-9-1 Executive Summary

The Town of Jerome recognizes the necessity for protection of its water supply by monitoring water use to existing, pending, and future development within its water service areas in order to ensure the continuing stability of the Town, and to promote the health, safety and welfare of all citizens, visitors and users of Jerome water. This Drought and Water Shortage Preparedness Plan (DWSPP) addresses the options and drought mitigation strategies to reduce the impact of drought and other water shortages to the Jerome water users.

Section 13-9-2 Definitions

In this Article, unless the context otherwise requires, the following definitions shall apply:

Account - the individual identification of a property being served water by the Town.

Customer - the individual, partnership, business, or corporation in whose name the application for water service is made.

Demand Reductions - Demand reductions are all measures taken by the Town to reduce the use of potable water in response to water drought or supply insufficiency conditions. Demand reduction includes measures which would restrict water further than a normal, conservation-minded desert lifestyle.

Drought - Water drought is a long period of abnormally low precipitation (rain or snow), especially one that adversely affects growing or living conditions.

DWSPP – means Drought and Water Shortage Preparedness Plan.

Effluent - means outflow from a sewer treatment facility or sewage disposal system and remains effluent until it acquires the characteristics of ground water or surface water. Effluent that is reused is treated to a quality suitable for non-potable applications such as landscape irrigation, decorative water features, and non-food crops.

Emergency Authority - The Town Manager, or a certified operator acting under the direction of the Town Manager, has the authority to make operational adjustments and/or changes to the potable water system for the purpose of protecting the system from damage, maintaining water supply, or restoring the system to operation after a system failure.

Fountain – Any water feature that is solely or partially used for decorative purposes.

Irrigate - To supply landscaping or crops with potable water from the Town's water system or private well.

Maximum Storage Capacity - The total water resources available when all existing water storage tanks are full.

Potable Water – means water suitable for drinking or cooking purposes from both health and aesthetic considerations, and which meets the quality standards prescribed in the Safe Drinking Water Act.

Reclaimed Water – Recycled wastewater treated to improve its quality. Reclaimed water can serve in many capacities where it is unnecessary to use high-quality potable (or drinking) water.

Safe Storage Capacity – Water resources available based on seventy-five percent (75%) of maximum storage capacity.

Supply Insufficiency - Supply insufficiency occurs when water available is not sufficient to meet immediate unrestricted demand. A supply insufficiency can be of relatively short duration. Supply insufficiencies can be caused by unforeseen increases in water demand, failure of a part of the storage or delivery system, water quality problems or any number of other natural or man-made situations that result in an inability to provide a sufficient, unrestricted supply of water.

Town – means the Town of Jerome, Arizona.

User – means the owner, tenant, trustee, mortgagee, receiver or occupier whether person, corporation, firm or municipality of property that is connected to the municipal water system.

Wasting Water - To use or expend water unnecessarily, thoughtlessly or carelessly. Examples include, but are not limited to, allowing water to run into the street/gutter, allowing water to pool, irrigating during precipitation events, and failing to repair water leaks. A representative of the Town shall make the determination of Wasting Water.

Section 13-9-3 Purpose and Objectives

The purpose of the DWSPP is to provide strategies and procedures for periods of time when the Town's normal and customary water supplies may not be able to meet the Town's needs due to below normal precipitation or other issues that have affected the municipality's water supply. A DWSPP plan is also a resource that can be used should a meteorological drought last for several years. The objective of the plan is to provide ways for the Town, businesses, and residents to aid in water demand reduction when a water supply insufficiency occurs, and to provide a framework for operations during times of drought and water shortage.

Section 13-9-4 Authority

- A. Town Manager: The Town Manager, or his/her designee, in consultation with the Public Works Department and/or the Fire Chief, is hereby authorized to declare and suspend Demand Reduction Strategies and elements of Strategies. These may be initiated and suspended based upon Resource Status Levels, or other pertinent information, which evaluate the relationship between water demand and safe storage capacity. The Town Manager is further authorized to take any operational measures deemed necessary to protect the potable water system. The Town Manager shall inform the Council within 24 hours regarding any such actions taken by him or her.
- B. Town Council: The Town Council may authorize exemptions to Strategies and/or elements of strategies when necessary for the protection and preservation of the public health, welfare and safety.
- C. Applicability: This DWSP is applicable to ALL users of Town water, regardless of whether they live within or without the corporate limits of the Town.

Section 13-9-5 Best Practices/Industry Standards

- A. Preparedness: The DWSP provides Town leaders the opportunity to react quickly and implement appropriate restrictions early, while making allowances to suit situational needs. During drought, water shortage, or at all other times, the ultimate goal for the municipality is to protect and preserve public health, welfare and safety and minimize adverse impacts.
- B. Responsiveness to Citizens: Jerome's goal is to continue to provide sufficient water to meet the needs of its citizens. Should water shortage conditions arise, the Town of Jerome wants to be sensitive to the needs of its citizens and water customers and wants to be sure that residential customers and business interests are provided with the information necessary in order to comply with demand reduction measures when they are necessary.
- C. Equity and Fairness During Water Shortages: The impacts and hardships caused by drought or other water shortages should be shared equitably and in proportion to the magnitude of the shortage. Not all uses of water are the same. Some uses, such as reserves for fire suppression, critical cooling applications, and medical necessity will have to take priority over less universally beneficial applications of the available resource, such as lawn and park irrigation, maintenance of decorative fountains or water features, and cooling of outdoor recreation areas.
- D. Public Education: In order to effectively provide ways for the residents and businesses to participate in water demand reduction when a water supply shortage occurs, the Town must provide the public with education and information about the Drought and Water Shortage Preparedness Plan and the Town's Demand Reduction Strategies, in the manner set forth in Section 13-9-7.
- E. Water Conservation: Water conservation, by its very nature, should be a normal component of a well run town, which seeks to maintain a reliable water resource, and is particularly applicable

to communities like Jerome, that are located in desert environments. Water conservation should be an ongoing practice of the citizens of the community.

- F. Common Practice of the Town: As a common practice, the Town of Jerome will make every effort to adhere, to the extent possible, to the provisions outlined in Section 13-9-6 (D)(1), “Demand Reduction Strategy I – Water Alert,” regardless of whether that particular Reduction Strategy has been ordered by the Town Council and/or the Manager.
- G. Adherence Mandatory: Adherence to Water Resource Status Levels I, II, and III, and their corresponding Demand Reduction Strategies I, II, and III – “Water Alert”, “Water Emergency”, and Water Crisis”, are mandatory whenever any one of those particular Demand Reduction Strategies have been declared, and are strictly enforced.
- H. Encouragement: The Town of Jerome strongly encourages all Town of Jerome water users to adhere to the provisions outlined in Section 13-9-6 (D)(1), “Demand Reduction Strategy I – Water Alert” on a daily basis, regardless of whether that particular Reduction Strategy has been ordered by the Town Council and/or the Manager.
- I. New Landscaping for Commercial Projects: New landscaping for commercial projects should only be accomplished with plant materials that require little or no supplemental irrigation water.

Section 13-9-6 Demand Reduction Strategies

- A. The Demand Reduction Strategies outlined in this plan incorporate a variety of measures to reduce the use of potable water in response to water drought or supply insufficiency conditions. Demand reduction includes measures, which would restrict water further than a normal conservation-minded desert lifestyle.
- B. COMPLIANCE WITH DEMAND REDUCTION STRATEGIES IS MANDATORY FOR ALL JEROME WATER USERS, AND ANY VIOLATION OF THE DEMAND REDUCTION STRATEGIES MAY RESULT IN SURCHARGES BEING ADDED TO A JEROME WATER USER’S UTILITY BILL, AS FURTHER PROVIDED IN SECTION 13-9-8 OF THIS DROUGHT AND WATER SHORTAGE PREPAREDNESS PLAN.
- C. Water demand reduction during a drought may incorporate both voluntary and mandatory measures. Many of the organizational demand reduction strategies to a drought condition, including conservation measures, are appropriate for responding to a short-duration supply insufficiency. Generally, responses to a systemic failure will be more rapid and may omit intermediate steps normally associated with an incremental drought response plan.
- D. It is evident that drought is not a constant or totally predictable condition in occurrence or duration. Rather, there are levels of drought and levels of drought impact, and therefore, levels of demand reduction strategies. This plan includes three (3) levels of Demand Reduction Strategies, as follows:

1. DEMAND REDUCTION STRATEGY I -- "WATER ALERT"

Goal: The normal, correct state of the Cleopatra Hill water tanks is full to the brim and slightly overflowing. During the period May 1 through September 30 or each year, or if there has been no overflow from the tanks for 48 consecutive hours, Demand Reduction Strategy I will be implemented to reduce demand and return the tanks to their normal state. The Town Manager, or his/her representative, will monitor the tanks on a regular basis to determine when and if such overflow is occurring. Strategy I mandates:

- a. Water shall be conserved both inside and outside the home or business using best practices available to minimize waste. No person shall waste water.
- b. Outdoor water use shall not occur between the hours of 9:00 AM to 5:00 PM.
- c. Vehicle washing shall only be undertaken with a bucket and hose with a shut off nozzle or other water saving devices such as a pressure washer.
- d. Cooling of outdoor areas with water or misting devices is prohibited.
- e. Restaurants shall serve water to customers upon request only and shall display table tents or other types of public notice to this effect.
- f. Construction projects shall use only reclaimed water or effluent or supply their own water for on-site use and dust control.

During a "Water Alert" the Town of Jerome will read water meters on a monthly basis.

2. DEMAND REDUCTION STRATEGY II – "WATER EMERGENCY"

Goal: If Demand Reduction Strategy I fails to return the Cleopatra Hill tanks to their normal state and the water tanks drop to under 90% full for 48 consecutive hours, Demand Reduction Strategy II will be implemented to return the tanks to their normal state. Strategy II includes all points in Strategy I and also mandates:

- a. Outdoor water usage shall be restricted to the hours between 6:00 PM and 6:00 AM. Watering days shall be restricted: properties with even numbered addresses may irrigate only on Wednesday, Friday and Sunday; properties with odd numbered addresses may irrigate only on Tuesday, Thursday and Saturday. Where there is no discernable address, the even numbered address schedule shall apply. No irrigation shall be allowed on Monday, except by the Town. No more than 450 gallons per site per 24-hour period shall be permitted. For those with hose and/or sprinkler systems, a maximum of 45 minutes per watering is permitted; for those with a low flow drip system, four hours is permitted.
- b. No vehicle washing or watering down of sidewalks, decks, parking areas, patio or other similar surfaces shall take place at any time.
- c. Water shall not be added to fountains, water features, recreational swimming pools, spas or wading pools holding more than one hundred (100) gallons, except to support animals and maintain fish ponds.
- d. Transient lodging facilities shall wash customers' linens, if a stay is in excess of one night, upon request only, and the facility shall display a notice to that effect.

3. DEMAND REDUCTION STRATEGY III -- "WATER CRISIS"

Goal: Demand Reduction Strategy III will be implemented in the event of a catastrophic failure in the water collection or distribution system or when the tanks are under 80% full for 48 consecutive hours. Strategy III includes all points in Strategy II and also mandates:

- a. No potable water shall be used for outdoor purposes, except to support animals and maintain fish ponds.
- b. No potable water may be used in violation of any other restriction deemed necessary by the Jerome Town Council for the purpose of protecting the welfare of the citizens of Jerome.
- c. Water system connection permits shall not be issued and permitted new connections shall not be activated.

Section 13-9-7 Demand Reduction Strategy Implementation

- A. The Jerome Public Works Department shall monitor the projected supply and demand for water on a daily basis during periods of emergency or drought and shall recommend to the Town Manager the extent of the demand reduction measures required to prudently plan and supply water to the water users.
- B. The Town Manager, or his/her designee, in consultation with the Public Works Department and the Fire Chief, is hereby authorized to declare and suspend the Demand Reduction Strategies and elements of Strategies that are set forth in this Plan. The Strategies may be initiated and suspended based upon Resource Status Levels, or other pertinent information, which evaluate the relationship between water demand and safe storage capacity. The Town Manager shall inform the Council within 24 hours regarding any such actions taken by him or her.
- C. The declaration of any change in the Demand Reduction Strategy level may be made by:
 1. Declaration by the Town Manager; and
 2. Issuance of a Press Release to radio stations and newspapers of general circulation in the community; and
 3. Appropriate postings at the Town's official posting locations and on the Town of Jerome website; and
 4. Appropriate signage at strategic locations throughout the Town, that clearly advise citizens that the prevailing Demand Reduction Strategy is then existing (i.e., "Water Alert," "Water Emergency" or "Water Crisis"); and,
 5. In the event that restrictions are increased, personal notice delivered by Town employees or volunteers.
- D. The Demand Reduction Strategy designated shall become effective immediately upon posting by the Town.

- E. The Notice of Demand Reduction shall give the extent, terms and conditions regarding the use and consumption of water. Upon such declaration and posting, due and proper notice shall be deemed to have been given to each and every Jerome water user.
- F. This implementation may require the reallocation of current staff to enforce the provisions of this Plan.
- G. The Town Manager has emergency authority to take any operational measures deemed necessary to protect the potable water systems. In the event such action is taken, he/she shall notify the Town Council within 24 hours.

Section 13-9-8 Violations, Warnings, Surcharges

- A. All Demand Reduction Strategies of the Plan shall be enforced administratively by the Town of Jerome.
- B. Enforcement of the Plan may require the reallocation of current Town of Jerome staff.
- C. Enforcement shall consist of public education forums, on-site inspections by Town employees, written warnings, and, as a last resort, the addition of surcharges to the monthly utility bills of any Town of Jerome water user found in violation of the Plan.
- D. Violations of this Plan shall result in the levying of the following surcharges:
 - 1. First violation - \$25 surcharge
 - 2. Second violation - \$100 surcharge
 - 3. Third violation - \$250 surcharge
 - 4. Fourth violation – \$250 surcharge plus water service shut off, with the provision that all outstanding surcharges must be paid prior to reconnection of water service

Section 13-9-9 Appeal of Assessment of Surcharge

- A. The assessment of a surcharge may be informally appealed, in writing, within fourteen (14) calendar days of the notice of the surcharge assessment.
- B. The written appeal shall be received by the Town Manager within said fourteen (14) calendar day time limit, or the right to such appeal shall be permanently waived.
- C. The written appeal shall be reviewed by the Town Council, who shall determine whether the appeal has merit, taking in to account all the available facts and circumstances. In assessing the merits of any appeal, the Council shall have full authority to review all documentation of the account of record under appeal.

- F. The Town Council shall have the authority to hear testimony on behalf of the appellant and the Town.
- G. The Arizona Rules of Evidence do not apply in the appeal process.
- H. The Town Council shall render a written decision to the appellant within ten (10) calendar days after receipt of the appeal.
- I. Decisions of the Town Council are final.
- J. All surcharge-related correspondence shall be addressed to:
Town of Jerome Manager
PO Box 335, Jerome, AZ 86331

Section 13-9-10 Plan Review and Amendments

- A. In an effort to meet the purpose, objectives and goals of this Plan, the Town Council shall review this DWSPP every five years.
- B. The Town Council may amend this Plan, by Ordinance, pursuant to prevailing facts and circumstances at any given point in time.
- C. If any provision of this Plan is found to be in violation of any Arizona law, statute, ordinance, case opinion or regulation by any court of record, the remaining provisions of this Plan shall remain in full force to the degree possible under Arizona law.

(Ord. 419, 8/8/16)