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GARY B. BETTS, SR.

BOARD OF ALDERMEN
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Interim City Manager

ELIZABETH SECHRIEST
Finance Director

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City Clerk

RESOLUTION 23-10

**RESOLUTION TO ADOPT WATER SHORTAGE RESPONSE PLAN
CITY OF RANDLEMAN, NORTH CAROLINA
APRIL 04, 2023**

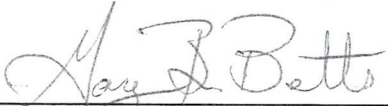
WHEREAS, North Carolina GS §143-355 (1) requires that each individual unit of local government that provides public water services or plans to provide such service shall, either individually or together with other such units of local government, prepare and submit a Water Shortage Response Plan; and

WHEREAS, required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for the City of Randleman, has been developed and submitted to the City of Randleman Board of Aldermen for approval; and


WHEREAS, the City of Randleman Board of Aldermen finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina GS §143-355(1) and that it will provide appropriate guidance for the future management of water supplies for the City of Randleman, as well as useful information to the Department of Environmental Resources for the development of a state water supply plan as required by statute; and

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen that this plan shall be revised to reflect changes in relevant data and projections at least every five years or as otherwise requested by the Department, in accordance with NC GS §143-355(1) and sound planning practices.

This the 4th day of April, 2023



Gary B. Betts, Mayor

Attest: 

Connie M. Cross, City Clerk, CMC, NCCMC

[SEAL]

Water Shortage Response Plan City of Randleman, North Carolina

The procedures herein are written to reduce potable water demand and supplement existing drinking water supplies whenever existing water supply sources are inadequate to meet current demands for potable water.

I. Authorization

The Randleman City Manager shall enact the following water shortage response provisions whenever the trigger conditions outlined in Section IV are met. In his absence, the Utility Director will assume this role.

Mr. Greg Patton
Randleman Interim City Manager
Phone: (336) 495-7505
E-mail: gpatton@cityofrandleman.com

Mr. Brian Crawford
City of Randleman Utility Director
Phone: (336) 495-7500
E-mail:
bcrawford@cityofrandleman.com

II. Notification

The following notification methods will be used to inform water system employees and customers of a water shortage declaration: employee e-mail announcements, notices at municipal buildings, notices in water bills and on the City of Randleman website homepage. Required water shortage response measures will be communicated through *The Courier-Tribune*, PSA announcements on local radio and cable stations, and on the City of Randleman website. Declaration of emergency water restrictions or water rationing will be communicated to all customers by telephone through use of reverse 911.

III. Levels of Response

Five levels of water shortage response are outlined in the table below. The five levels of water shortage response are: voluntary reductions, mandatory reductions I and II, emergency reductions and water rationing. A detailed description of each response level and corresponding water reduction measures follow below.

Stage	Response	Description
1	Voluntary Reductions	Water users are encouraged to reduce their water use and improve water use efficiency; however, no penalties apply for noncompliance. Water supply conditions indicate a potential for shortage.
2	Mandatory Reductions I	Water users must abide required water use reduction and efficiency measures; penalties apply for noncompliance. Water supply conditions are significantly lower than the seasonal norm and water shortage conditions are expected to persist.
3	Mandatory Reductions II	Same as in Stage 2
4	Emergency Reductions	Water supply conditions are substantially diminished and pose an imminent threat to human health or environmental integrity.
5	Water Rationing	Water supply conditions are substantially diminished and remaining supplies must be allocated to preserve human health and environmental integrity.

In Stage 1, Voluntary Reductions, all water users will be asked to reduce their normal water use by 5%. Customer education and outreach programs will encourage water conservation and efficiency measures including: irrigating landscapes a maximum of one inch per week; preventing water waste, runoff and watering impervious surfaces; watering plants deeply to encourage root growth; washing only full loads in clothes and dishwashers; using spring-loaded nozzles on garden hoses; and identifying and repairing all water leaks.

In Stage 2, Mandatory Reductions I, all customers are expected to reduce their water use by 10% in comparison to their previous month's water bill. In addition to continuing to encourage all voluntary reduction actions, the following restrictions apply: irrigation is limited to a half inch per week between 8PM and 8AM; outdoor use of drinking water for washing impervious surfaces is prohibited; and all testing and training purposes requiring drinking water (e.g. fire protection) will be limited.

In Stage 3, Mandatory Reductions II, customers must continue actions from all previous stages and further reduce water use by 20% compared to their previous month's water bill. All non-essential uses of drinking water are banned and garden and landscape irrigation must be reduced to the minimum amount necessary for survival. Additionally, in Stage 3, a drought surcharge of 1.5 times the normal water rate applies.

In Stage 4, Emergency Reductions, customers must continue all actions from previous stages and further reduce their water use by 25% compared to their previous month's water bill. A ban on all use of drinking water except to protect public health and safety is implemented and drought surcharges increase to 2 times the normal water rate.

The goal of Stage 5, Water Rationing, is to provide drinking water to protect public health (e.g. residences, residential health care facilities and correctional facilities). In Stage 5, all customers are only permitted to use water at the minimum required for public health protection. Firefighting is the only allowable outdoor water use and pickup locations for distributing potable water will be announced according to Randleman's Emergency Response Plan. Drought surcharges increase to 5 times the normal water rate.

IV. Triggers

The City of Randleman's water source is the Piedmont Triad Regional Water Authority (PTRWA). When the PTRWA declares a water shortage the City of Randleman will do the same and closely follow their triggers. A portion of Randleman's water is purchased from Asheboro. When Asheboro declares a water shortage that portion of Randleman which receives water from Asheboro will declare a shortage as well and follow Asheboro's triggers.

Return to Normal

When water shortage conditions have abated and the situation is returning to normal, water conservation measures employed during each phase should be decreased in reverse order of implementation. Permanent measures directed toward long-term monitoring and conservation should be implemented or continued so that the community will be in a better position to prevent shortages and respond to recurring water shortage conditions.

V. Enforcement

The provisions of the water shortage response plan will be enforced by City of Randleman utility department and police personnel. Violators may be reported to the City's dedicated water conservation hotline or the e-mail contact listed on the city's website. Citations are assessed according to the following schedule depending on the number of prior violations and current level of water shortage.

Water Shortage Level	First Violation	Second Violation	Third Violation
Voluntary Reductions	N/A	N/A	N/A
Mandatory Reductions (Stages 2 and 3)	Warning	\$250	Discontinuation of Service
Emergency Reductions	\$250	Discontinuation of Service	Discontinuation of Service
Water Rationing	\$500	Discontinuation of Service	Discontinuation of Service

Drought surcharge rates are effective in Stages 3, 4 and 5.

VI. Public Comment

Customers will have multiple opportunities to comment on the provisions of the water shortage response plan. First, a draft plan will be available at City Hall for customers to view. A notice will be included in customer water bill notifying them of such. Also a draft plan will be published in *The Courier-Tribune* and on the City of Randleman website. A public hearing will be scheduled with notice printed in all customer water bills to collect comments on the draft. All subsequent revisions to the draft plan will be published at least 30 days prior to an adoption vote by Randleman's Aldermen.

VII. Variance Protocols

Applications for water use variance requests are available from the City of Randleman website and City Utility Office. All applications must be submitted to the Utility Office for review by the Utility Director or his or her designee. A decision to approve or deny individual variance requests will be determined within two weeks of submittal after careful consideration of the following criteria: impact on water demand, expected duration, alternative source options, social and economic importance, purpose (i.e. necessary use of drinking water) and the prevention of structural damage.

VIII. Effectiveness

The effectiveness of the Randleman water shortage response plan will be determined by comparing the stated water conservation goals with observed water use reduction data. Other factors to be considered include frequency of plan activation, any problem periods without activation, total number of violation citations, desired reductions attained and evaluation of demand reductions compared to the previous year's seasonal data.

IX. Revision

The water shortage response plan will be reviewed and revised as needed to adapt to new circumstances affecting water supply and demand, following implementation of emergency restrictions, and at a minimum of every five years in conjunction with the updating of our Local Water Supply Plan. Further, a water shortage response planning work group will review procedures following each emergency or rationing stage to recommend any necessary improvements to the plan to Randleman's Aldermen. The City of Randleman Utility Director is responsible for initiating all subsequent revisions.

Emergency Water Management Procedures

- A. Subject to review by the Board of Alderman at any regular or special meeting of the Board of Alderman, a "water emergency" may be declared by the City Manager or his or her designee to exist when any condition or situation exists that may threaten the availability and/or safety of either treated or potable water from the water supply, treatment, and distribution system operated and maintained by the city. A "water emergency" shall be declared by the City Manager or his or her designee to exist when users of the city water system cannot be supplied with treated potable water without substantially curtailing the water demand placed on the city's water system. Furthermore, a "water emergency" shall be declared to exist when production, treatment, transmission, and storage facilities are incapable of meeting all daily water demands or when projections of available water show that the available supply of water will not meet the daily water demands.
- B. A declaration of the existence of a "water emergency" by the City Manager or his designee shall specify the level of severity of the emergency and be in the form of a signed executive order that, upon its issuance, shall be distributed to the Mayor and members of the Board of Alderman in a manner calculated to provide the most expeditious notification possible. Once the distribution of the declaration of the existence of a "water emergency" to the Mayor and members of the Board of Alderman has been undertaken, the City Manager or his or her designee shall give notice to the general public by means of a public press announcement of the existence of a "water emergency" and the severity thereof. The regulatory provisions authorized by this section will become effective 24 hours after the issuance of the public press announcement specified in the preceding sentence.
- C. In the event of a sudden and severe water shortage created by a disrupted waterline or some malfunction/disruption of the city's water system, the City Manager or his or her designee may immediately place into effect the appropriate restrictive provisions authorized herein. The restrictive provisions implemented by the City Manager or his or her designee may include, but are not limited to, the temporary discontinuance of service without prior notice to any person, entity, or structure receiving water from the city water system. Furthermore, such restrictive provisions implemented as a consequence of a sudden and severe disruption of water service may also include, but are not limited to, any combination of the various restrictions found within the different levels of staged water use restrictions prescribed by division (D) below. Any restrictive provisions implemented pursuant to this division may be city-wide in scope or limited to the geographic area of the city affected by a localized disruption of the city's water system. The necessity of such restrictive provisions shall be reevaluated on a daily basis by the City Manager or his or her designee, in consultation with the City's Engineer or the City's water provider, and the restrictive provisions authorized by this division shall be terminated by the City Manager or his or her designee as soon as is practicable. In the event of the imposition of such temporary restrictive provisions due to a sudden disruption to the water system, the notification requirements prescribed by division (B) above shall be implemented as soon as is practicable.
- D. The severity of a "water emergency" shall be classified and expressed by the City Manager or his or her designee in terms of the level of staged water use restrictions imposed on consumers of water from the city water system. For the purpose of this section, the staged water use restrictions are as follows:
 - 1. *Level I (Voluntary)*. During a declared Level I water emergency, consumers of water from the city water system shall be encouraged to implement the following voluntary water conservation practices:
 - (a) Watering of lawns, ornamental plants, and gardens should be limited to the hours between 7:00 p.m. and 7:00 a.m.;

- (b) Use of water for wash down of outside areas such as driveways, parking lots, and sidewalks should be curtailed;
- (c) Faucets should not be left running while shaving, brushing teeth, or washing dishes
- (d) The use of clothes and dishwashers should be limited where possible, and these units should be operated with full loads;
- (e) Washing cars and other vehicles should be curtailed to Saturday and Sundays, and hoses should not be left running while washing;
- (f) The use of flow restriction and other water saving devices is encouraged;
- (g) Showers should be used for bathing, and showers should be limited to four minutes or less; and
- (h) Filling of pools should be deferred or limited to hours between 7:00 p.m. and 7:00 a.m.

2. *Level II (Mandatory).* During a declared Level II water emergency, the following mandatory water use restrictions shall be in effect for consumers of water from the city water system:

- (a) The watering of lawns, ornamental plants, and gardens shall be limited to the hours between 7:00 p.m. and 7:00 a.m.;
- (b) The watering of lawns, ornamental plants, and gardens shall not be done except by handheld containers (buckets, jugs, etc.);
- (c) With the exception of situations where a wash down of outside areas is necessary due to public health and safety concerns, the residential use of water for wash down of outside areas is prohibited. Commercial pressure washers shall be permitted to continue normal operations. However, the commercial pressure washer owners and/or operators shall ensure that water wastage does not occur;
- (d) Residential washing of cars and other vehicles is prohibited. Automobile retail establishments and commercial automobile washing facilities including those providing hand held washing nozzles shall be permitted to continue normal operations. However, the facility owner/operator shall ensure that water wastage does not occur;
- (e) Restaurants and other food serving establishments shall serve water to patrons only at the request of the patron(s);
- (f) Commercial, industrial and construction operations shall eliminate all possible waste of water. Large scale commercial and industrial operations and construction activities that utilize 150,000 gallons or more of water per month shall submit a water reduction compliance plan to achieve 25%, 50%, or 75% water reduction as specified under the Level II water emergency declaration within 14 days of the effective date of the regulations and restrictions specified in the Level II water emergency declaration; and
- (g) Above-ground pools, Jacuzzis, and hot tubs having a capacity of 500 gallons or more and all newly constructed or drained in-ground pools shall be filled by permit only. The City Manager or his or her designee shall review applications for such fill permits. The issuance of such a permit may be denied on the basis of the assessment by the City Manager or his or her designee of the severity of the situation.

3. *Level III (Mandatory).* During a declared Level III water emergency, the following mandatory use restrictions shall be in effect for consumers of water from the city water system:

- (a) Any form of watering or irrigating lawns, gardens, and/or other plants is prohibited;

- (b) With the exception of situations where the wash down of certain outside areas is necessary due to public health and safety concerns, the use of water for wash down of outside areas is prohibited;
- (c) With the exception of situations where the washing of certain items is necessary due to public health and safety concerns, the washing of cars, vehicles, and/or other equipment is prohibited;
- (d) Restaurants and other food serving establishments shall utilize single serving utensils and plates in addition to serving water to patrons only at the request of the patron(s);
- (e) Recreational use of potable water, including filling of pools, is prohibited;
- (f) Large scale commercial and industrial water customers and construction activities utilizing 150,000 gallons or more of water per month shall achieve mandatory reductions in daily water usage of 25%, 50%, or 75% through whatever means are available. The target reduction percentage shall be determined by the severity of the water emergency and shall be publicly announced as part of the emergency declaration. The City Manager or his or her designee shall determine compliance with the daily usage reduction targets. Variances to this restriction may be granted by the City Manager or his or her designee to public health facilities including, but not limited to, hospitals and nursing homes;
- (g) Drinking water taps or hydrant permits shall be issued or revoked at the discretion of the City Manager or his or her designee; and
- (h) Unless a bulk water sale is made pursuant to an existing contract, bulk water sales shall be prohibited.

(4) *Level IV (Mandatory)*. During a declared Level IV water emergency, the following mandatory water use restrictions shall be in effect for consumers of water from the city water system:

- (a) All use of water for purposes other than the maintenance of public health and safety if prohibited;
- (b) Unless a bulk water sale is made pursuant to an existing contract, bulk water sales shall be prohibited;
- (c) Where the city water system is functional, monthly residential water use shall not exceed 4,000 gallons of water at each metered location;
- (d) Where the city water system is not functional, National Guard and emergency services vehicles shall be utilized to distribute water for household use at prearranged locations within the effected area. Usage by individuals shall be limited to those amounts necessary to sustain life through drinking, food preparation, and personal hygiene; and
- (e) The compliance plan for industries during Level IV remains the same as Level III or as directed by the State Public Health Officials.

(E) In the event of the declaration of a "water emergency" by the City Manager or his or her designee in accordance with the provisions of this section, it shall be unlawful for any person to use or permit the use of water from the water system of the city in violation of any of the provisions set forth in this section until such time as the City Manager or his or her designee has declared the restrictive provision(s) in question to be no longer in effect.

(F) Once a "water emergency" has been declared and the appropriate staged restrictions imposed, the City Manager or his or her designee shall review the operational status of the city's water system and the supply of water available to the city's water system at least once per calendar day. On a daily basis, the Director of Public Works shall notify the City Manager or his or her designee of the

operational status of the city's water system and the available water supply. On the basis of information gathered in order to provide this notification, the City Manager or his or her designee during the course of this daily notification procedure whether a different stage of restriction should be implemented. The City Manager or his or her designee shall make the final determination as to whether any change in the stage of restriction is warranted. If such a change in the stage of restriction is warranted, the notification procedures prescribed by division (B) above shall be followed in the same manner as for the initial declaration of a "water emergency". (G) Compliance with the provisions of this section shall be enforced by personnel of the Public Works Director, the Police Department, and any other personnel designated by the City Manager. Failure to comply with any of the regulations or restrictions of this section shall be unlawful and a violation of this section. All remedies authorized by law for noncompliance with this section, including the issuance of a civil penalty citation or an action for injunctive relief, may be exercised to enforce the provisions of this section. It shall be unlawful to fail to act in accordance with the provisions of this section or to use water in any manner that constitutes an attempted and/or actual evasion or avoidance of the water restrictions prescribed by this section.

(H) (1) Any consumer of water from the city water system who violates any provision of this section shall be subject to civil penalties as follows:

(a) During a declared Level II water emergency, residential users who violate any of the mandatory restrictions of this section shall be subject to a written warning for the first offense; a civil penalty in the amount of \$100 for the second offense; and a civil penalty in the amount of \$200 for the third and successive offenses. During a declared Level III or Level IV water emergency, there shall be no warnings issued, and residential users who violate any of the mandatory restrictions of this section shall be subject to a civil penalty in the amount of 100 for the first offense and a civil penalty in the amount of \$200 for the second and successive offenses.

(b) During any declared water emergency, any non-residential user who violates any of the mandatory restrictions of this section shall be subject to a written warning for the first offense; a civil penalty of \$200 for the second offense; a civil penalty of \$500 for the fourth and successive offenses.

(2) Violations shall be accumulated by all consumers of water from the city water system so long as a declared "water emergency", in any stage, is continuously in effect and until no stage of this section has been in effect for one calendar year. Violations of any of the mandatory restrictions of any stage of a declared "water emergency" under the provisions of this section shall accumulate with violations of the mandatory restrictions of any of the other stages under this section. If a customer of the water system moves or ceases service and subsequently renews service during any of the stages of a declared "water emergency" under this section, the customer's violations shall continue to accumulate as if such move or cessation had not occurred.

(I) Any citation that is issued by authorized personnel under this section and that is enforceable by civil penalties shall be subject to administrative review by the Zoning Administrator or his or her designee. This administrative review shall occur only when the alleged violator has made a written request for such a review within 15 calendar days of the issuance of the citation at issue. This written request for administrative review must be hand delivered or sent by certified mail to the Zoning

Administrator at his office in City Hall. If a request for administrative review is not received in person by the Zoning Administrator or his or her designee or postmarked within 15 calendar days of the date of issuance of a citation, administrative review of the matter shall be deemed to have been waived.

(J) When an alleged violator of the provisions of this section has filed in a timely manner a written request for administrative review that conforms to the provisions of division (I) above, the Zoning Administrator or his or her designee shall hold a hearing within 30 calendar days of the date of receipt of the written request for such a hearing. At this hearing, the Zoning Administrator or his or her designee shall review the violation alleged in the citation and shall provide the alleged violator an opportunity to be heard in response to the allegations alleged in the citation under review. Within five calendar days of the date on which the administrative hearing is held, the Zoning Administrator or his or her designee shall render a written decision whereby liability or no liability on the part of the alleged violator is found to exist. Such a decision shall be delivered to the person or entity that filed the request for administrative review by means of hand delivery or certified mail, return receipt requested. Upon receipt of notification of any decision finding liability, the violator shall make payment of any civil penalty incurred within 15 calendar days. If payment of any civil penalty due is not received within 15 calendar days following receipt of notice of liability after administrative review, the violator shall be liable for an additional civil penalty of \$100.

(K) Cases involving any person or entity that fails to pay any civil penalty assessed against that person or entity after the later of either 30 calendar days from the date of receipt of a citation alleging liability or the date of receipt of notice finding liability following administrative review shall be referred to the City Attorney for institution of a civil action in the name of the city, in the appropriate division of the General Courts of Justice, for recovery of the penalty.

(L) Upon a fourth violation of this section, a violator shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$500 as provided by G.S. §14-4, and, in addition thereto, such violation may be enjoined and restrained as provided in G.S. §160A-175. This issuing of a criminal warrant shall not prohibit the imposition of further civil penalties.

(M) The City Manager or his or her designee shall have the authority to discontinue or restrict water service to any person, entity, or structure in the event of any violation of the mandatory restrictions imposed pursuant to this section. With the exception of the imposition of a discontinuance of service pursuant to division (C) above, the Director of Public Works shall provide by the most expeditious means reasonably available a minimum of two working days written notice of his or her intent to discontinue or restrict water service to a particular person, entity, or structure before such discontinuance or restriction of service is implemented. During the period of the two day notice, any person or entity claiming the status of an aggrieved party may make a request of the City Manager or his or her designee to be heard as to why such discontinuance or restriction of water service should not be enforced. If such a request is received by the City Manager or his or her designee in a timely manner, the requesting party shall be heard by the City Manager or his or her designee on the said matter as soon as is practicable. Once a matter is scheduled by the City Manager for hearing, the decision of the Director or his or her designee renders a decision as to the aggrieved party's request. The decision

rendered by the City Manager or his or her design in such a matter shall be final. When water service has been discontinued or restricted pursuant to and in accordance with this division, it shall be unlawful to reactivate such service without the permission of the Director of Public Works.

(N) Each day's continuing violation of this section shall be a separate and distinct criminal and civil offense. Each violation of this section shall be a separate offense even if occurring on the same day.

(O) (1) Termination of any stage of a declared "water emergency" shall be determined and ordered by the City Manager or his or her designee when he or she determines that the water supply available for use by the city water system is no longer so low as to constitute a "water emergency" under the terms of this section. Upon termination of any "water emergency" and any stage thereof, all fines or penalties incurred by any consumer of water from the city's water system shall remain in effect until paid. Upon such termination, discontinued users may have their service restored upon payment of the regular fees charged to customers who have had their water service disconnected.

(2) However, no such fees shall be charged to consumers who had their water service discontinued pursuant to division (C).

(P) The provisions of this section shall apply to all such persons or entities using public water both in and outside the city, regardless of whether any such person or entity using water shall have a contract for water service with the city.

(Q) If any division, clause, or provision of this section shall be judged invalid, such adjudication shall apply only to such division, clause, or provision so adjudged, and the remainder of this section shall be declared valid and effective.

(R) All ordinances and clauses of ordinances in conflict herewith are stayed while any provision of this section is in effect during a declared "water emergency". Such conflicting ordinances and clauses shall become effective upon termination of the "water emergency".

City of Randleman Communication Protocol

- 1) **Brian Crawford**– (336) 676-3914 **Public Works Director**
- 2) **Scott Pyrtle** – (336) 669-2936 **ORC Water Distribution/
Collections**
- 3) **Eric Fuller** – (336) 676-3514 **Back-Up**
- 4) **Seth Reagan** – (336) 495-7500 **Sanitation Supervisor**