

ARTICLE I
Water

§ 18-1. WATER DEPARTMENT.

§ 18-1.1. Department Established. [1985 Code § 19-1.1]

There is hereby established a Water Department for the Borough operating under the direction of the Borough Manager, either directly or by his duly authorized representatives or agents.

§ 18-1.2. Definitions. [1985 Code § 19-1.2; Ord. No. 2009-#11; Ord. No. 2012-#08]

As used in this Article:

LICENSED WATER OPERATOR — Shall mean the person in charge of inspecting water, as may be required by the laws of the State of New Jersey.

MAIN OR MAINS — Shall mean all pipes other than supply pipes or service pipes used for carrying or distributing water.

OFFICE — Shall mean the Office of the Borough Clerk or Borough Treasurer.

SERVICE PIPE — Shall mean that portion of the pipe from the curb box to the water meter. "Service pipe" shall be type K copper, or other approved material of a size and quality as approved by the Water Superintendent. All service pipes must have a minimum pressure rating of 200 psi. All service pipes must be traceable to allow for magnetic location.

SUMMER WATER SERVICE — Shall mean water supplied in those water distribution lines not suitable for year-round usage.

SUPPLY PIPE — Shall mean that portion of the pipe from the main to the curb box. "Supply pipe" shall be type K copper and 3/4 inch in diameter or larger and all fittings used must be Mueller or equal thereto and be of approved model and approved by the Water Superintendent.

WATER CLERK — Shall mean the person in charge of the records of the Water Department.

WATER METER READER — Shall mean the person responsible for the reading of all water meters.

WATER SUPERINTENDENT — Shall mean the Director of the Department of Public Works which Superintendent is hereby designated as a Superintendent of the Water Department.

§ 18-1.3. Water Department Revenues and Accounts. [1985 Code § 19-1.30]

The Borough Treasurer shall:

- a. Act as water register.
- b. Have charge of all the books of the Water Department that pertain to revenues.
- c. Make all collections for water rents and have charge of all monies that are collected by that office.
- d. Keep a separate ledger account for each person buying water from the Borough.

- e. Collect for and receipt all permits before the Water Superintendent issues them, and account for same upon the proper books of the Borough.

§ 18-1.4. Appointment of Water Clerk, Water Superintendent, Water Meter Reader and Licensed Water Operator. [1985 Code § 19-1.3]

A Water Clerk, a Water Superintendent, a Water Meter Reader and a Licensed Water Operator shall be appointed by the Borough Manager.

§ 18-1.5. Badge or Credentials. [1985 Code § 19-1.28]

- a. No person shall have, wear or exhibit any badge or credentials of the Water Department unless that person is an authorized agent of the Borough.
- b. It shall be the duty of every employee of the Borough, upon resignation or dismissal, to forthwith surrender and deliver at the Office all badges or credentials of the Water Department.
- c. It shall be the duty of the Water Superintendent to keep a record of all badges and credentials issued.

§ 18-2. CONNECTION TO WATER SUPPLY.

§ 18-2.1. Only One Service Connection to any Supply Pipe. [1985 Code § 19-1.8]

- a. There shall be no more than one service pipe connection to any supply pipe.
- b. Each building shall have its own service unless special permission is otherwise obtained.

§ 18-2.2. Interconnection with Private Source of Supply. [1985 Code § 19-1.8A; Ord. No. 2002-09; Ord. No. 2009-#11]

- a. Any consumer obtaining water supply from the Ringwood Borough Water Department shall be required to seal all existing wells or water sources that exist on their property.
- b. In the event that there are existing interconnections with a private source of water supply that exist before the effective date of this subsection,¹ those interconnections shall provide for proper backflow prevention devices. An acceptable backflow prevention device shall be considered a double gate valve and a check valve as approved by the Water Superintendent. Furthermore, all such backflow prevention devices shall be tested and certified in working condition at least once every year by a New Jersey State certified backflow inspector.

§ 18-2.3. Application for Introduction of Water Supply. [1985 Code § 19-1.12; Ord. No. 2012-#08]

- a. Application for introduction of water supply or for the change of any existing water supply shall be made at the office of the Water Superintendent by the owner of the premises or his

1. Editor's Note: Ordinance No. 2002-09, contained herein, was adopted on April 24, 2002 and amended by Ordinance No. 2009-#11 adopted December 22, 2009.

authorized agent. The application shall be made upon a blank form furnished for that purpose. The applicant shall subscribe to the conditions thereon, stating fully the uses to which the water is to be applied. A fee as set forth in subsection 18-9.1 shall be charged for a supply line.

- b. Upon the receipt of an application for the introduction of a larger supply line or for change of any existing water supply, the Water Superintendent or his agent shall make an inspection of the premises and shall prepare an estimate of the cost of work applied for and render a bill to the owner of the premises. Upon payment in full of such fee or bill, the work of making the proper connections with the premises shall be proceeded with as promptly as practical. If the estimated cost exceeds actual cost, a refund will be made to the applicant. The Water Superintendent has the right to deny performing the construction work. The applicant will then be required to perform the construction work.

§ 18-2.4. Water for Building Construction. [1985 Code § 19-1.23]

- a. Application for water for construction of a building shall be made to the Water Superintendent by the owner of the property on suitable forms supplied by the Water Department.
- b. A fee, as set forth in subsection 18-9.1a4 for the temporary placement of a meter for the construction of a building shall accompany each application. Water shall be charged for at the current rate.
- c. All such meters shall be placed to the satisfaction of the Water Superintendent or other duly authorized agent, and it shall be the duty of the applicant to take care of the meter.

§ 18-2.5. Service Connections between November 15 and March 15. [1985 Code § 19-1.18]

No service connections shall be made from November 15 to March 15 except at the option of the Mayor and Council. The Borough shall have full right to reject any application for the service connections upon reasonable cause.

When connections are made during this period, the owner of the premises shall be liable for all charges incurred by the Department over and above the rates set forth in Section 18-9.

§ 18-2.6. (Reserved)²

§ 18-2.7. Tapping of Water Mains. [1985 Code § 19-1.17]

No one except the Water Department or an authorized agent shall tap the water mains, water supply or service pipes or shall turn the water off or on at the curb box except in an emergency.

§ 18-2.8. Turn On of Water. [1985 Code 19-1.5]

Water shall be turned on and admitted or flowed in the premises of consumers only by the Water Superintendent or his agent and upon notification by the Water Clerk.

2. Editor's Note: Former § 18-2.6, Certification of Availability of Municipal Water, 1985 Code § 19-1.32, was repealed 6-18-2019 by Ord. No. 2019-05.

§ 18-3. WATER METERS.**§ 18-3.1. Water Supplied through Meter; Meter Readings. [1985 Code § 19-1.5; 19-1.6]; Ord. No. 2009-#11]**

- a. Except as hereinafter provided by this Article, all water taken or consumed shall be supplied through a water meter, and shall be charged for at such uniform rates as set forth in subsection 18-9.1.
- b. A physical reading of each water meter may be required at least once per calendar year for water billing purposes.

§ 18-3.2. Meter Required for Each Dwelling Unit. [1985 Code § 19-1.7]

- a. Not more than one dwelling unit shall be supplied through a meter, but nothing herein shall prohibit the supplying of a garage or other accessory building on the same premises through one meter, provided that the garage or other accessory building is not used as a dwelling unit.
- b. Upon request to and approval by the Water Superintendent, one meter may be used for a condominium development.

§ 18-3.3. Inspection and Approval of Meters; Requirements; Responsibility for Damages; Fee. [1985 Code § 19-1.24; Ord. No. 2009-#11; Ord. No. 2012-#08]

- a. All meters shall be placed under the supervision and to the satisfaction of the Water Superintendent or such person as he may designate, so that they may be easily examined and read. That portion of the service pipe within the building shall be kept exposed. All other pipes and other appliances and equipment are required to be inspected and approved by the Water Superintendent or his agent before being covered and all such pipes outside the building shall be covered to a depth of at least 42 inches.
- b. A meter opening of 12 inches must be provided. As directed by the Water Superintendent for a meter installation, service pipes must have a gate valve or a ball valve on the inside of the building within two feet of the place where it enters the building, and a stop and waste cock or valve on the outlet side of the meter. No outlet shall be permitted in the service pipe between the curb box and the meter.
- c. Meters are to be installed at the risk of the property owner, and such owner will be held responsible for any damage thereto including damage by frost or freezing.
- d. No meters shall be installed in a building which did not previously have a meter unless the property owner provides an appropriate wire for the installation of an outside meter recorder satisfactory to, and in a location approved by the Water Department.

§ 18-3.4. Test for Accuracy; Fee; Replacement of Meter; Adjustment of Charge. [1985 Code § 19-1.25]

- a. The accuracy of any meter will be determined by the Department upon written request of the owner who shall pay in advance the fee set forth in subsection 18-9.1 to cover cost of the test.

- b. If on such test the meter shall be found to register over 3% more water than actually passed through the meter, the meter will be replaced, the test fee will be refunded to the owner of the premises, and the Water Clerk shall adjust the water bill for the current term in such manner as he may decide to be fair and just.
- c. Where replacement of a meter is requested by the consumer, and after a test the meter in use is found accurate, such replacement shall not be made unless the consumer pays the cost of all labor and material necessary to make the change.

§ 18-3.5. Meters Set at Fee. [1985 Code § 19-1.14]

Meters shall be set at a fee set forth in subsection 18-9.1. All meters are the property of the Borough.

§ 18-3.6. Removal of Meter. [1985 Code § 19-1.26]

No person except an employee of the Water Department shall remove, disconnect, repair, adjust or tamper in any way with a water meter except that, in case of an emergency, a seal on a meter or a bypass may be broken, provided that the Water Department shall be notified of such action.

§ 18-4. INSPECTIONS.

§ 18-4.1. Consent to Enter Premises for Inspection. [1985 Code § 19-1.15]

The application for water connection shall be taken in all cases to be a consent by the applicant, owner or occupier that the Water Clerk, Water Superintendent or other duly authorized agents of the Borough may enter the premises for inspection of the meter service or other apparatus connected with the water supply at all reasonable hours upon the presentation of the badge or other credentials provided by the Water Department.

§ 18-4.2. Inspection by Borough Agents and Employees. [1985 Code § 19-1.16]

Inspectors of the Water Department, or any other person so delegated by the Water Clerk or Water Superintendent shall be allowed inside of buildings, to shut off the water supply for the purpose of inspection or in order that the repairs or alterations to water mains, pipes or stopcocks, and the like may be made.

§ 18-5. DUTIES OF USERS AND BOROUGH.

§ 18-5.1. Duty of User to Maintain Service Pipes and Fixtures and Prevent Unnecessary Waste. [1985 Code § 19-1.20; Ord. No. 2009-#11]

It shall be the duty of all persons who may be supplied with water from any Borough water main to maintain their house service pipes and all fixtures in good order and protected from frost and freezing at their own expense and shall prevent all unnecessary waste of water. It shall be the duty of each consumer having notice or knowledge of leaks in service pipes or supply pipes to his premises or to those occupied by him or under his control, forthwith to notify the Water Clerk. It shall also be his duty to keep the curb box exposed and in an accessible condition.

§ 18-5.2. Duty of Borough; Liability. [1985 Code § 19-1.21]

- a. It is expressly stipulated that no claim shall be made against the Borough by reason of the breaking of any supply or service pipe cocks, or from shutting off water to repair any mains or making connections with same.
- b. Should it become necessary to shut off the water from any section of the Borough for the purpose of making changes or repairs, the Water Department will endeavor to give timely notice to the users affected thereby and will, so far as practical, use its best efforts to prevent inconvenience and damages arising from any cause, but failure to give such notice will not render the Water Department responsible or liable for damages that may result therefrom or from any other cause.
- c. The Borough undertakes only to use reasonable care and diligence to provide a constant supply of water through its pipes, but does not undertake to render any special service or maintain any fixed or definite quantity of pressure. In the event of the occurrence of any break, failure or accident, the Borough shall not be liable for any damage resulting therefrom.
- d. The Borough reserves the right to decrease or limit the quantity of water used, whenever in the judgment of the Mayor and Council it is necessary or expedient to do so.

§ 18-6. REPAIRS AND REPLACEMENT SERVICE. [1985 Code § 19-1.19]

- a. Upon notification or discovery of any leaks in supply or service pipes or stopcocks, the Water Department shall shut off the water. Such notification shall be given to the Water Clerk.
- b. All repairs to or replacement of the service pipe shall be made at the expense of the owner under the supervision of the Water Department and shall be made during the regular work week. Any damage to supply pipe, stopcock and the like encountered during replacement or installation of service pipe shall be the responsibility of the applicant.
- c. The Water Department shall make all repairs to supply pipes without charge. The material for a replacement of a supply pipe shall be the responsibility of the Water Department.

§ 18-7. DISCONTINUANCE OF SERVICE.**§ 18-7.1. Notice to Discontinue Service. [1985 Code § 19-1.22]**

Any person desiring to discontinue service to his property shall give at least five days' written notice thereof to the Water Clerk who shall then notify the Water Department.

§ 18-7.2. Discontinuance of Service by Borough. [1985 Code § 19-1.5]

Discontinuance of service may be made for any of the following reasons.

- a. For failure to maintain in good order connections, service lines or fixtures owned by the customer.
- b. For molesting any service pipe, meter, curb stopcock or seal or any other appliance of the Department.

- c. In case of vacancy of premises.
- d. For nonpayment of water service charges or any other charges accruing under the application.
- e. For refusal of access at reasonable hours to property or residence for purposes of inspecting or for reading, caring for or removing meters by properly identified Water Department personnel.

§ 18-8. PAYMENT OF BILLS AND CHARGES.

§ 18-8.1. Billing Period; Delinquent Bills. [1985 Code § 19-1.9; Ord. #2009-#11]

- a. The billing period for water shall be on a quarterly basis.
- b. All bills for water consumed shall be rendered quarterly between the 10th and 20th day of each billing period for all water consumed during the preceding quarter.
- c. All bills for standby connection charges, as set forth in subsection 18-9.1, shall be payable quarterly in advance.
- d. All bills shall be made payable to the Borough of Ringwood.
- e. All bills for water consumed shall be due when rendered, and all bills for standby connection charges shall be due on the first day of each quarter.
- f. Interest on delinquent bills for water consumed or standby charges or assessments shall be determined by resolution of the Mayor and Council and shall be charged from date the bill is rendered. No interest shall be charged if the bill is paid within 30 days after the bill is rendered.
- g. If a payment is not made within 60 days after due date, the water shall be shut off and not turned on again except on payment of arrears and a fee for turning the water on, as set forth in subsection 18-9.1.
- h. Adjustment of all bills shall be made as provided in subsection 18-3.4.
- i. No bills will be rendered or payment accepted for less than the minimum rate.
- j. Any and all water furnished to the Fire Department of the Borough shall be supplied without cost and any Fire Company operating under or as part of the Borough of Ringwood Fire Department shall not be billed for water supplied.

§ 18-8.2. Liability for Payment. [1985 Code § 19-1.10; Ord. No. 2017-05]

The owner(s) of any building, house, dwelling, structure, lot or lots shall be liable for payment of the water rent and charges imposed hereby for the use of water and water-connected services set forth herein, whether or not the use of such water or services is used by or for the benefit of a tenant, lessee, occupier or any other person or entity other than the owner. The water rent and water service charges so fixed and determined herein shall be and constitute a lien upon the property, land, building, house, dwelling, structure and lot, together with all appurtenances thereto, until the bill or statement shall be paid and satisfied. In the event of nonpayment of

said bill or statement in full, the property, lots and land, together with any building, house, dwelling structure and their appurtenances, shall be liable to sale in the manner provided by law in satisfaction and payment of the lien of said water rent and charges.

§ 18-8.3. (Reserved)³

§ 18-8.4. Payment of Charges; Rates; Objections. [1985 Code § 19-1.13; Ord. No. 2009-#11]

Where access to meters cannot be had during any meter reading period, the user will be required to pay a charge, calculated on the estimated usage based upon actual consumption of previous year and quarter.

§ 18-9. WATER RATES AND CHARGES.

§ 18-9.1. Charges for Water Service. [1985 Code § 19-1.29; Ord. No. 1998-06; Ord. No. 2000-05; Ord. No. 2002-09; Ord. No. 2004-06; Ord. No. 2006-#3; Ord. No. 2008-#09; Ord. No. 2009-#1; Ord. No. 2009-#11; Ord. No. 2012-#08; Ord. No. 2014-06; Ord. No. 2017-05; Ord. No. 2018-01]

a. There shall be established the following charges:

1. For the turning on of water as set forth in subsection 18-2.8 and 18-8.1 (each occasion): \$50.
2. For existing water customers requesting to change the size of their service. This includes the installation of a tap, corporation stop, meter and meter set fee up to and including one inch in diameter as set forth in Subsection 18-2.3: \$2,150. **[Amended 6-18-2019 by Ord. No. 2019-05]**
3. For connections above one inch in diameter (actual installation shall be responsibility of the water customer): \$200.
4. For temporary placement of a 3/4 inch meter for the construction of a building as set forth in subsection 18-2.4: \$200.
5. For testing the accuracy of a meter as set forth in subsection 18-3.4: \$75.
6. For non-water customers needing swimming pools filled, there is a set-up fee in addition to the cost of water: \$300.
7. For final water read: \$30.
8. If other equipment is needed to complete the repair, an additional hourly rate will be charged.
9. Cost of Meters:

3. Editor's Note: Former § 18-8.3, Street Opening Permits and Cost of Road Repairs, 1985 Code § 19-1.11, was repealed 6-18-2019 by Ord. No. 2019-05.

1/2 inches	\$170
3/4 inches	\$220
1 inches	\$270

- 10. For frozen meter replacement: Call-out plus the cost of the meter and materials.
- 11. To have a water service frozen: Cost of call-out plus \$50.
- 12. Charge for meter touch pad removal or damage: \$100.
- 13. Labor Rates:

Regular time	\$35
Overtime	1.5 x \$52
Overtime	2 x \$70
Overtime	2.5 x \$87.50

- 14. In the event blasting is necessary for the installation of a water service line from main to curb, the blasting expense shall be the responsibility of the property owner.
- b. Fire Protection Systems. There is hereby established the charge of \$200 per year (billed at \$50 per quarter) for an unmetered standby connection to the Municipal Water System for fire sprinkler systems and standpipes. This charge shall be in addition to all other charges for water. This connection shall be used exclusively for fire protection systems. Metered connections will be charged at the Water Consumption Rates below.
- c. Meters. There are hereby established the following charges for setting a meter as set forth in Subsection 18-3.5:
 - 1. For setting of all meters plus the meter cost: \$150.
- d. Water Consumption Rates. There are hereby established the following water consumption rates as set forth in Subsection 18-3.1: **[Amended 4-16-2019 by Ord. No. 2019-03; 2-15-2022 by Ord. No. 2022-03]**

Quarter-Annual Water Rates	
Total Quantity in Gallons/Quarter	Rates/Quarter
0 to 5,000	\$42.76 (res. min.)
5,001 to 10,000	\$76.72 (res. min.)
Over 10,000	\$7.67 per 1,000 gallons

Minimum Quarter-Annual Charge Other Than Residential	
3/4 inch and smaller	\$85.46
1 inch	\$95.26
1 1/2 inches	\$112.98
2 inches	\$145.28

- e. Fire Hydrants. An annual charge of \$100 for each fire hydrant shall be paid by the Borough of Ringwood to the Water Department to cover the cost of providing water to each such hydrant for one year.
- f. Connection Fee. Connection fee chargeable per service unit is \$3,150. Such charge shall be paid in full prior to the installation of supply line to premises and it includes the meter and meter set fee. **[Amended 6-18-2019 by Ord. No. 2019-05]**
- g. A bulk water sale to another water purveyor shall be at a rate of the Borough's cost plus 15% for handling and administration.

§ 18-9.2. Emergency Water Call-Out. [1985 Code § 19-1.33; Ord. No. 2009-#11]

An emergency water call-out shall be considered any call for service by a user pertaining to the Borough water system. If Borough employees are dispatched on an emergency water call-out and the problem is determined to be the responsibility of the property owner, the property owner shall be responsible for any costs incurred by the Municipality in connection with said water call-out, these costs to be in accordance with payment provisions of the Labor Agreement between the Borough of Ringwood and the current collective bargaining unit. The property owner's responsibility in connection with water service extends from the property or curblin into the building being serviced. The property owner is also responsible for water service within the building.

§ 18-10. MISCELLANEOUS PROVISIONS.

§ 18-10.1. Opening of a Fire Hydrant. [1985 Code § 19-1.27]

The opening of fire hydrants shall be allowed only by special permission from the Water Superintendent or his agents, except in case of fire. All volunteer Fire Departments shall; notify and obtain the approval of the Water Superintendent before opening a fire hydrant except in case of a fire or emergency.

§ 18-10.2. Use of Water to Fill Swimming Pools. [1985 Code § 19-1.4]

- a. No person shall make use of any water from any of the water mains or supply pipes of this Borough except in the manner provided in this chapter.
- b. All water customers having a swimming pool in excess of 2,500 gallons capacity shall be required to obtain approval from the Water Superintendent to fill same. Prior to granting permission, the Water Superintendent shall consider the demands upon the system, other

applicants for like purpose, and shall designate time or times when water may be taken from the system for this purpose by the applicant.

§ 18-10.3. (Reserved)⁴

§ 18-11. through § 18-14. (RESERVED)

§ 18-15. WATER RESTRICTIONS.

§ 18-15.1. Persons Affected. [1985 Code § 19-2.1]

The conditions and restrictions established in this section shall apply to any property, facility, building, person, entity or corporation receiving water from the Ringwood Water Department.

§ 18-15.2. Restrictions on Usage. [1985 Code 19-2.2; Ord. No. 2005-#26]

Year round restrictions shall apply to all outside noncommercial water usage including but not limited to: filling of swimming pools, car washing and lawn watering.

§ 18-15.3. Schedule. [1985 Code § 19-2.3; Ord. No. 2005-#26]

All properties or houses with odd house numbers (those numbers not divisible by two) shall be restricted from water usage as set forth in the preceding subsection on even days of the month (those days divisible by two). All properties or houses with even house numbers shall be restricted from water usage as set forth in the preceding subsection on odd days of the month.

§ 18-15.4. Penalties. [Ord. No. 2006-#12]

Any person, corporation, or entity who is the owner or occupier of property on which there is a violation of the provisions of this section shall be liable for a penalty of \$25 for a first offense and \$50 for every subsequent offense in each calendar year.

§ 18-15.5. Enforcement. [1985 Code § 19-2.5; Ord. No. 2006-#12]

Enforcement of this section shall be by the Ringwood Police Department, the Code Enforcement Officer and the Ringwood Water Department personnel.

§ 18-16. WATER EMERGENCY.

§ 18-16.1. Declaration of Water Emergency. [1985 Code § 19-3.1]

Whenever the Governing Body shall find that a water emergency exists in the Municipality, it may adopt a resolution declaring that a water emergency exists in the Municipality. Such resolution shall be adopted by the Governing Body at any regular, special adjourned or emergency public meeting of the Governing Body. Such resolution shall identify that portion of the Municipality affected by the water emergency, which may include the entire Municipality, and shall specify

4. Editor's Note: Former subsection 18-10.3, Summer Water Service, previously codified herein and containing portions of 1985 Code § 19-1.31, was repealed in its entirety by Ordinance No. 2009-#11.

which of the water use regulations contained in subsection 18-16.2 is being imposed as well as any exemptions as may be authorized. Such resolution shall be effective immediately upon publication according to law and shall continue in effect for 90 days, unless extended or repealed as set forth in subsection 18-16.3. For the purpose of this subsection, a water emergency shall exist for any of the following reasons:

- a. The public utility providing water service to all or a portion of the Municipality has adopted water use restrictions, has notified the Municipality, the New Jersey Board of Public Utilities, and the New Jersey Department of Environmental Protection and Energy, as well as any other State, County or local agency entitled to notice of such restrictions and such restrictions are not overruled or declared invalid by any State, County, or local agency having the jurisdiction and power to do so; or
- b. The Governing Authority is otherwise satisfied that a water emergency exists in the Municipality.

§ 18-16.2. Water Use Restrictions. [1985 Code § 19-3.2]

Upon adoption by the Governing Body of a resolution declaring that a water emergency exists in the Municipality in accordance with subsection 18-16.1, all citizens shall be urged to observe voluntary indoor conservation measures and any of the following water use restrictions shall be imposed and shall be applicable to all residents and tenants, except where a bona fide health emergency exists and to exempt businesses, as specified herein during the water emergency:

- a. The complete ban and prohibition of outside water usage, including the watering of lawns and plants, the filling of pools and the washing of cars; or
- b. Any other water use restriction specified by the Governing Body in the resolution required by subsection 18-16.1 which is reasonable under the circumstances considering the nature and extent of the water emergency. Any water restriction imposed pursuant to this paragraph shall be limited in application to that portion of the Municipality, which may include the entire Municipality, identified as being affected by the water emergency in the resolution of the Governing Body adopted in accordance with subsection 18-16.1.

§ 18-16.3. Duration of Water Use Restrictions. [1985 Code § 19-3.3]

The resolution of the Governing Body required by subsection 18-16.1 shall, in addition to complying with subsection 18-16.1, provide a period of time during which the water use restrictions imposed shall be applicable and which shall be no longer than reasonably necessary to abate the water emergency under the circumstances considering the nature and extent of the water emergency. At the expiration of the time period specified in the resolution, the water use restriction shall lapse and be inapplicable and unenforceable. If the Governing Body shall be satisfied that the water emergency has been abated prior to the expiration of the time period specified in the resolution, it shall adopt a resolution declaring the water emergency ended and the water use restriction inapplicable. If, at the expiration of the time period specified in the resolution, the Governing Body shall be satisfied that the water emergency continues to exist, it may adopt a resolution in accordance with the requirements of this section continuing the water use restrictions.

§ 18-16.4. Enforcement of Water Use Restrictions. [1985 Code § 19-3.4]

The water use restrictions imposed pursuant to this section shall be enforced during a water emergency by the local authorized official. Whenever a local authorized official shall find a violation of the water use restrictions, such authorized official shall give the violator a written warning and explain the penalties for any additional offense as provided in subsection 18-16.5. The local authorized official is hereby empowered to write a summons for the violation of the water use restrictions imposed pursuant to this section.

§ 18-16.5. Penalties; Violations of Water Emergency Prohibitions. [1985 Code § 19-3.5; New]

After a first offense in accordance with subsection 18-16.4, any person or business who thereafter violates the water use restrictions imposed pursuant to this section shall be fined or imprisoned in accordance with this subsection. For a second offense, the fine imposed shall be \$500 or imprisonment for 10 days or both a fine and imprisonment.

For offenses subsequent to the second offense, the violator shall be liable for the penalty established in Chapter 1, Section 1-5.

§ 18-17. PENALTY. [New]

- a. Any person who violates any provision of this article shall, upon conviction, be liable for the penalty stated in Chapter 1, Section 1-5. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- b. Violations of Summer Water Restrictions. Any person, corporation, or entity who is the owner or occupier of property on which there is a violation of the provisions of section 18-15, Summer Water Restrictions, shall, upon conviction thereof, be liable for a fine not exceeding \$50 for the first offense and \$100 for each subsequent offense. As a condition to conviction, it must be established that a warning notice previously has been issued or mailed or delivered prior to the issuance of a summons for this violation.

§ 18-18. through §18-20. (RESERVED)