

**ORDINANCE NO. 1682**

**AN ORDINANCE TO ESTABLISH AN EMERGENCY WATER  
CONSERVATION PLAN FOR THE CITY OF FAIRHOPE FOR  
CUSTOMERS OR PERSONS WHO USE THE  
CITY OF FAIRHOPE WATER SYSTEM**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,  
ALABAMA, as follows:**

**I. PURPOSE**

The purpose of this Emergency Water Conservation Plan is as follows:

- To provide contingency plans to manage drought and emergency conditions: and to continue and deliver a cost effective, adequate safe and reliable supply of water to our customers; and
- To identify successful public information strategies which will motivate the community to reduce normal consumption to drought allowances; and
- To identify critical points of change which would result in an acute or long-term water outage and to establish preemptive stages to address the outage; and
- To recommend a programmed response for each stage which would most effectively reduce water consumption to the available supply with the least adverse impact to the City of Fairhope community.

**II. WATER CONSERVATION PLAN**

The plan as outlined in this document consists of a menu of response measures to be enacted by the City of Fairhope in response to the shortages either acute or chronic.

A water shortage may exist in localized areas of City of Fairhope any time the system demand is in excess of 85% of the available capacity and widespread water outages can occur whenever system demand is in excess of 100% of available capacity. Serious shortages could also be caused by system failures and power interruptions.

**III. WATER CONSERVATION RESPONSE OPTIONS**

- Public Education and information for Voluntary Reduction – public information and education programs would be implemented at the earliest drought or emergency stage to make our customers aware of the problem, to respond to customer concerns and questions, and to motivate the customer to take action to reduce water consumption. A major component of City of Fairhope water conservation program focuses on public education. These programs, typically through bill inserts, website notices, and media announcements, are aimed at reaching the greatest amount of people in the largest water use category which are residential customers. During an emergency, these existing programs will become the core of an expanded program working with the public to reduce water consumption.
- Outdoor Water Use Restriction and Bans – residential outdoor water use is a significant portion of daily consumption. Water consumption increases dramatically in the summer months. In the early stages of a drought or emergency, outdoor water use restrictions would most likely be voluntary. However, starting with the second stage, some reduction in water consumption is mandatory.
- Nonresidential Water Use Planning – because the highest percentage of water consumption is due to residential customers, implementation of water use restrictions for industrial and commercial customers is usually insignificant until the final stage of the drought or emergency occurs.

**IV. WATER CONSERVATION PHASES**

The onset of an emergency situation or anticipated onset of drought and the necessary adjustment and management techniques depend on the severity of the water emergency. Therefore, upon a declaration of an emergency by the Governing Body of the City of Fairhope, water conservation phases will be implemented on following criteria:

- Phase I: When water demand reaches an average of 80% capacity over 7 consecutive days
- Phase II: When water demand reaches an average of 90% capacity over 7 consecutive days
- Phase III: When water demand reaches an average of 100% capacity over 3 consecutive days

**V. WATER CONSERVATION RESPONSE**

Specific conservation management responses are listed according to the conservation phase. The phases are dependent on the ability of City of Fairhope to foresee conditions which would affect water allotments or water availability. After declaration of the drought or water emergency stage by Governing Body, the City Council is to authorize the Mayor to implement any or all the following:

New lawns and landscaping would be exempt for 30 days from the date of planting.

Phase I: WATER ALERT – Voluntary. All customers or persons who use City of Fairhope water system are requested to voluntarily limit the amount of water to the amount that is absolutely necessary for health, business, and outdoor use. This will remain in effect until demand falls below criteria for 7 consecutive days. No emergency declaration by the Governing Body is needed to implement Phase I.

Phase II: WATER WARNING – Mandatory Compliance. Beginning at a time deemed necessary by City of Fairhope and after public notification, the following restrictions shall apply to all residential customers or persons who use City of Fairhope water system. These restrictions will be in effect until lifted by the Governing Body or until demand averages at or below 90% of capacity for 7 consecutive days:

Irrigation utilizing individual sprinklers from hoses or buried sprinkler systems for the purpose of watering lawns, gardens, landscaped areas, trees, shrubs, and other plants is prohibited, except on designated water-use days which shall be as follows:

- Odd-numbered street addresses will water on Monday and Wednesday
- Even-numbered street addresses will water on Tuesday and Thursday
- No irrigation shall be performed between the hours 5:00 a.m.-9:00 a.m. and 5:00 p.m.-9:00 p.m.
- No watering will be allowed on Friday, Saturday, and Sunday

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Odd	Even	Odd	Even	No	No	No
Addresses	Addresses	Addresses	Addresses	Watering	Watering	Watering
Water	Water	Water	Water	Allowed	Allowed	Allowed

Phase III: WATER EMERGENCY – Mandatory Compliance. Upon implementation by City of Fairhope and after public notification, the following restrictions shall be imposed in place of Phase II restrictions (until further notice) to all residential City of Fairhope water system customers or persons who use City of Fairhope water system:

- Irrigation utilizing individual sprinklers from hoses or buried sprinkler systems for the purpose of watering lawns, gardens, landscaped areas, trees, shrubs, and other plants is prohibited.
- Washing of private vehicles is prohibited on Friday, Saturday, and Sunday.
- Commercial car washes and service stations are exempt from this restriction.
- Swimming pools will be filled by users of water at street addresses containing odd numbers on Monday and Wednesday. Swimming pools will be filled by users of water at street addresses containing even numbers on Tuesday and Thursday.
- Washing of sidewalks, streets, driveways, parking areas, tennis courts, patios or other paved areas is absolutely prohibited except by the street department and fire department to alleviate health or fire hazard.
- Taking water from a fire hydrant is prohibited without written permission from City of Fairhope. The water system, street department, and fire department are exempt from this condition in order to properly maintain the water system and provide for public health and safety.

These restrictions will be in effect until lifted by the Governing Body or until demand averages at or below 100% of capacity for 7 consecutive dates.

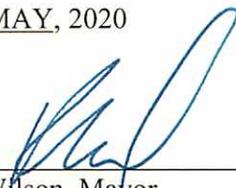
## VI. VIOLATIONS

Violations of this Ordinance may occur, and citations may be issued for each violation on a daily basis for repeat offenders. Violations shall be governed by the Fairhope's Ordinance Code Section 1-8. General penalty; violations of code, ordinance, or state law.

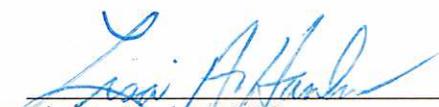
Severability. The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraphs and sections, since the same would have been enacted by the municipality council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

Effective Date. This ordinance shall take effect upon its due adoption and publication as required by law.

ADOPTED THIS 13TH DAY OF MAY, 2020

  
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Karin Wilson, Mayor

ATTEST:

  
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Lisa A. Hanks, MMC  
City Clerk

Ord. No. 1682 Published in  
FAIRHOPE COURIER  
on Wednesday, May 27, 2020  
L. Hanks City Clerk