

ORDINANCE NO. 2014-_____

**AN ORDINANCE TO AMEND CHAPTER 215 OF THE MILTON TOWN CODE TO
INCLUDE A NEW SECTION ON WATER CONSERVATION.**

WHEREAS, Section 29(a)(7) of the Town Charter of the Town of Milton vests power in the Town Council to define, prevent, abate or remove nuisances, obstructions or any other condition detrimental to the public safety, health, welfare; or the health and capacity of eco-systems that support the natural areas of the town; and

WHEREAS, Section 29(a)(8) of the Town Charter of the Town of Milton vests power in the Town Council to provide an ample supply of pure water for the Town and its inhabitants and to this end to regulate and prescribe the manner of its use; and

WHEREAS, Section 29(a)(23) of the Town Charter of the Town of Milton vests power in the Town Council to provide for the punishment of a violation of any Ordinance of the Town by fine or imprisonment, or both, not exceeding One Thousand Dollars (\$1,000.00) or sixty (60) days, or both;

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Town Council of the Town of Milton:

Section 1. The following new Section 214-31, entitled “Water Conservation,” shall be incorporated into Chapter 215 of the Milton Town Code in its numerical place, with additions shown by underlining as follows:

§ 215-31. Water conservation.

A. Purpose.

The purpose of this section is to mandate that water be used in a manner that prevents waste, conserves water resources for their most beneficial and vital uses, and protects the public health.

B. Water use limitations.

From May 1st through September 30th, inclusive, except on a designated outdoor water use day, no person shall, using water from the Town’s water main:

- (1) Irrigate, water, cause or permit the irrigation or watering of any lawn or landscape;
- (2) Wash any hard or paved surface, including but not limited to houses, buildings, sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards;
- (3) Wash any vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether or not motorized, except that this subsection shall not apply to any commercial car wash; or
- (4) Fill a pool larger capable of holding more than 50 gallons of water.

C. Definitions.

For purposes of this section, the following definitions shall apply:

BUILDING

As defined in Section 85-2 of the Milton Town Code.

CAR WASH

As defined in Section 220-6 of the Milton Town Code.

DESIGNATED OUTDOOR WATER USE DAY

For any property with a street address ending in an even number, the designated days are those calendar dates ending in an even number. For any property with a street address ending in an odd number, the designated days are those calendar dates ending in an odd number. An apartment complex, office building complex, or any other property possessing multiple street addresses shall use the lowest street address number to determine its designated days.

TRAILER

As defined in Section 220-6 of the Milton Town Code.

D. Violations and penalties.

- (1) Any act of noncompliance with this section shall constitute a violation, punishable upon conviction thereof by a fine in the amount of not less than \$50 nor more than \$99. However, a person's first offense shall be punishable upon conviction thereof by a fine in the amount of not less than \$25 nor more than \$50.
- (2) In addition to the aforementioned fine and any other costs assessed by the Court, upon conviction of an offense, a person shall be responsible for payment of any Court costs and attorney's fees incurred by the Town.
- (3) Separate acts occurring on the same day shall be deemed separate offenses. Acts occurring on separate days shall be deemed separate offenses.
- (4) A person's first offense shall be punishable upon conviction thereof by a fine in the amount of not less than \$25 nor more than \$50.
- (5) The Town Code Enforcement Officer shall have authority to enforce this section. The nearest Justice of the Peace Court shall have exclusive and original jurisdiction over offenses prosecuted under this section.

E. This Section shall have no effect on the other provisions of the Town Code relating to a water emergency or shortage.

Section 2. This Ordinance shall become effective on August 1, 2014.

I, MARION JONES, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Town Council of the Town of Milton at its meeting held on the ____ day of _____, **2014**, following a duly noticed public

hearing, at which a quorum was present and voting throughout and that the same is still in full force and effect.

MAYOR

SYNOPSIS

This Ordinance amends the Town Code's chapter on water to provide for water conservation requirements.