



## NWPA Regional Water Conservation Lawn Watering Ordinance

### Outdoor limitation on the use of water

- A. Purpose: Based on research from the Illinois State Water Survey, the Chicago Metropolitan Agency for Planning, local counties and other organizations, [Name of local government] recognizes that potable water is a finite natural resource; that communities within the Northwest Water Planning Alliance rely on shared groundwater and river water sources; and, that water conservation is a necessary component of a sustainable water supply.
- B. Definitions: The following words and phrases when used in this section shall, for the purposes of this section, have the following meanings:
- CITY or VILLAGE: [name of local government]
- DRIP IRRIGATION SYSTEM: An IRRIGATION SYSTEM that saves water by allowing water to drip slowly to the roots of plants, either onto the soil surface or directly onto the root zone. Such systems include but are not limited to soaker hoses.
- HANDHELD WATERING DEVICE: A means of watering that requires the watering device to be held in order to operate, including watering cans, buckets, and hoses equipped with automatic shutoff valves. This also includes the handheld use of a hose, provided it is continuously attended.
- HARVESTED RAINWATER: Water that is accumulated and stored during times of precipitation, such as through rain barrels and cistern systems, is prevented from entering the stormwater treatment system, and is redirected for reuse onsite.
- IRRIGATION SYSTEM: A system consisting of pipes, valves and sprayers connected to the potable water supply to manually or automatically irrigate lawns or landscaping.
- LANDSCAPE: The area of the property planted with vegetation other than grass.
- LAWN: The area of the property planted with grass.
- LAWN SPRINKLER: A device attached to a hose designed to allow for the unattended watering of lawns or landscaping, but does not include a drip irrigation system.
- LAWN WATERING: Any means or methods of applying water to a lawn.
- NORTHWEST WATER PLANNING ALLIANCE (NWPA): An interjurisdictional alliance of five counties, five councils of government, and roughly 80 municipalities that collaborate and cooperate on regional water resource planning issues, particularly concerning shared groundwater aquifer resources.
- PERSON: Any individual, firm, partnership, association, corporation, company, organization or entity of any kind.
- RECLAIMED GREYWATER: Water that is produced by treating onsite wastewater generated by household activities, such as laundry, dishwashing, and bathing, is



prevented from entering the municipal wastewater treatment system, and is redirected for reuse onsite.

RECYCLED EFFLUENT: Water that was formerly municipal wastewater and has been treated to remove solids and impurities for reuse for non-potable purposes.

C. Application Of Regulations:

1. The provisions of this section shall apply to any person using water within [name of local government], and:
  - a. the property is supplied by the [city or village]'s water system, regardless of whether:
    - i. the property is located within the municipal boundaries of the [city or village] or
    - ii. the person using the water has a contract for service with the [city or village]; or
  - b. the property is located with the municipal boundaries of the [city or village] and uses water other than municipal water that is supplied by the same aquifers as the municipal water supply.
2. The provisions of subsection (D) of this section shall apply year-round, subject to any modifications thereof, including application of these or other regulations during this or any other time, by an emergency proclamation.

D. Permitted Hours And Days For Specified Uses:

1. All persons using water shall adhere to the following schedules for lawn watering:
  - a. All properties with even numbered street addresses (i.e., numbers ending in 0, 2, 4, 6 or 8) may use water for lawn sprinkling only on even numbered calendar dates between the hours of six o'clock (6:00) A.M. and nine o'clock (9:00) A.M., or six o'clock (6:00) P.M. and nine o'clock (9:00) P.M.
  - b. All properties with odd numbered street addresses (i.e., numbers ending in 1, 3, 5, 7 or 9) may use water for lawn sprinkling only on odd numbered calendar dates between the hours of six o'clock (6:00) A.M. and nine o'clock (9:00) A.M., or six o'clock (6:00) P.M. and nine o'clock (9:00) P.M.
  - c. All properties which cannot be readily identified as having even-or odd-numbered street addresses are hereby designated as even-numbered for water conservation purposes.
  - d. No property will be allowed to use water for lawn sprinkling on July 31 and August 31 of the calendar year.
2. There shall be no restrictions as to hours or days when water may be used for any of the following:
  - a. Lawn watering where such watering is done using reclaimed greywater, recycled effluent, or harvested rainwater;



- b. The watering of landscape, such as trees, shrubs, flowers and gardens, with a handheld hose not larger than one-inch diameter or by means of an automatic root feed or drip irrigation system;
  - c. Lawn watering where such watering is done with the proper, attended use of a handheld watering device;
  - d. Vehicle or equipment washing, provided that all water hoses are equipped with positive shutoff nozzles; or
  - e. Any other lawful use of water such as bathing, clothes washing, or other normal household uses not otherwise specifically restricted by the provisions of this section.
- E. Sod Laying And Seeded Lawn Installation Restrictions And Permit Requirements:
- 1. Notwithstanding the above provisions, sod laying, lawn seeding, and the planting of other landscaping for the establishment of a new lawn or new landscaping is prohibited from July 1 through August 31 each year, unless the source of watering for said sod, lawn seeding or planting of landscaping is derived from reclaimed greywater, recycled effluent, or harvested rainwater. The prohibition shall not apply to soil erosion and sedimentation plans required pursuant to city ordinances (with approved plans) or for restorations due to required repairs of public utilities (e.g., water main breaks).
  - 2. Except for the period of July 1 through August 31 of each year or during an emergency proclamation event, water from the city water distribution system or private wells may be used for the establishment of sod or seeded turf lawns planted or installed in the current year, only as follows:
    - a. A permit issued by the [director of public works] (or his designated representative) is required for the installation of all seeded and sodded lawns. The application shall include the following information:
      - i. The address of the property where the sod is to be laid;
      - ii. The name and address of the owner of said property;
      - iii. The name and address of the contractor;
      - iv. The number of square feet of sod to be laid; and
      - v. The date on which the sod is to be laid.
    - b. On the day new sod or seed has been placed on a property, a person may use a lawn sprinkler to apply water to the sod or seed for a total period of time not to exceed eight (8) hours. For the next nine (9) days thereafter, a person may use a lawn sprinkler to apply water to said sod or seed each day during permitted hours of water use. Following the first ten (10) days after the sod or seed is placed, the provisions of subsection (C) and (D) of this section shall apply.



- F. Waste of Water Prohibited: No person shall allow a continuous stream of water to run off into any gutter, ditch, drain, or street inlet while using water for restricted purposes, nor shall a person spray or sprinkle streets or sidewalks.
- G. Exceptions: The provisions of this section shall not apply to any commercial or industrial entity for which the use of water is necessary to continue normal business operations, or to maintain stock or inventory. This exception shall not apply to any uses of water not essential to normal business operations or maintenance of inventory or stock, and specifically shall not apply to lawn watering.
- H. Emergency Proclamation: Whenever the water supply is diminished from any cause, including, but not limited to, prolonged dry period or drought, increased water demand, equipment failure, or water quality concerns, to an amount which in the opinion of the city engineer or director of public works is or is likely to become dangerous to the health and safety of the public, the [mayor or manager] is hereby authorized and empowered to issue an emergency proclamation specifying different or additional regulations on the use of water.
  - 1. In the case of regional dry periods or drought, the mayor shall take into account the recommendations of the regional water supply planning group, the Northwest Water Planning Alliance (NWPA), on making the decision to issue an emergency proclamation.
  - 2. Such regulations may provide for limitations on the usage of water, limitations on days and hours of use of water for some or all purposes, and the prohibition of specified uses of water. The following shall constitute the default emergency regulations:
    - a. In the case of moderate to severe drought conditions or similar regional water supply constraints as advised by the NWPA, the use of sprinkler systems shall be prohibited. Outdoor use of water shall still be allowed for those exempted uses in subsection (D)(2) and do not have to follow hour or day restrictions.
    - b. In the case of extreme to exceptional drought conditions or similar regional water supply constraints as advised by the NWPA, the use of water outdoors for any purpose shall be prohibited.
  - 3. Upon issuing such proclamation, the [mayor or manager] shall make the contents thereof known to the public by posting a copy at the [city or village] hall, and by news release to local newspapers and radio media, and may also endeavor to notify the [city or village] residents and other persons in any other practical manner that he or she shall devise. Further, the [mayor or manager] shall immediately deliver notice of such proclamation, and the regulations that have been imposed by such proclamation, to all members of the [city council or village board].
  - 4. The emergency proclamation of the [mayor or manager], and the regulations imposed thereby, shall remain in full force and effect until any one of the following shall first occur:



- a. The [mayor or manager] determines that the emergency no longer exists and that the emergency proclamation, and the regulations imposed thereby, shall no longer continue in effect.
  - b. The [city council or village board] modifies or repeals the emergency proclamation, and the regulations imposed thereby, by means of an ordinance enacted at any regular or special meeting of the [city council or village board].
5. Any [city or village] employee or officer may, at the direction of the [mayor or manager], notify and warn any person of the effect of said emergency proclamation and direct said person to comply with said watering or sprinkling restrictions. If any said person, after having first been warned about said restrictions of the emergency proclamation, shall continue to violate said restrictions of the proclamation, they shall be deemed to be in violation of this section.
- I. Authority: The authority to prohibit and further regulate the sprinkling of lawns, shrubbery and gardens shall be expressly reserved and may be amended from time to time, as necessary, by the [mayor or manager] and [city council or village board].
- J. Violation And Penalty:
  1. Any person who violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this ordinance shall, within ten (10) days of receiving notice of such violation, pay the [city or village] a fine, as follows:
    - a. Fifty dollars (\$50.00) for a first offense;
    - b. One hundred dollars (\$100.00) for a second offense; and
    - c. Two hundred dollars (\$200.00) for each subsequent offense.
  2. Each day a violation occurs or continues shall be considered a separate violation for purposes of this section.
  3. In addition to penalties provided herein, the city may recover reasonable attorney fees, court costs, court reporter fees and other expenses of litigation.

Alternatively, the ordinance may be constructed as a color-coded ordinance, whereby subsection (D)(1) would be adjusted to add language about "Condition 'Green,'" and subsections (H)(2)(a) and (b) would be adjusted to add language about "Condition 'Yellow'" and "Condition 'Red,'" respectively and to remove language about the process for issuing an emergency proclamation. In addition, the following section would be added:

- K. Signs: The [city or village] shall cause signs to be posted in conspicuous public places at entrances to the [city or village], as well as posting information on the [city or village] website, advising residents of the watering conditions then in effect.