

**AN ORDINANCE ADOPTING MANDATORY  
WATER CONSERVATION REGULATIONS  
FOR THE CITY OF SPRINGFIELD, ILLINOIS, AS AMENDED**

299.5.00

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs, and

**WHEREAS**, it is the finding of the Council of the City of Springfield that certain mandatory water conservation measures be imposed on the water users of the City water supply, and

**WHEREAS**, it is the finding of the Council that said measures be applied as universally as practicable to all retail water customers of the City and all retail customers of the wholesale customers of the City, and

**WHEREAS**, it is deemed necessary to implement said measures as soon as it is legally permissible to do so under State law as provided in the Illinois Compiled Statutes, Municipalities, Illinois Municipal Code 65 ILCS 5/1-2-4.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

Section 1: The following mandatory water conservation regulations, which shall be applicable to all retail water service customers of the City, are hereby adopted, to be effective after the adoption of this Ordinance and remaining thereafter in full force and effect until such time as the Mayor and General Manager of the Office of Public Utilities by executive order determine that the water level of Lake Springfield has sufficiently recovered to no longer warrant mandatory water conservation measures.

Section 2: The City Council hereby adopts the following mandatory water conservation regulations for the City of Springfield, Illinois:

**MANDATORY RESTRICTION FOR WATER USE**

(A) DEFINITIONS:

“LANDSCAPE.” For purposes of this Ordinance the term “Landscape” shall include sodded and seeded lawns, gardens, trees, shrubs, and other living plants.

“PERMITTED HOURS OF WATER USE.” A time period of 4:00 a.m. to 10:00 a.m. and a time period of 7:00 p.m. to 10:00 p.m.

(B) LANDSCAPE IRRIGATION PROHIBITED:

The use of water from the City water supply for landscape irrigation by retail water service customers is hereby prohibited except for the following:

1. Designated Irrigation Days: Irrigation utilizing individual sprinklers or sprinkler systems for landscape is permitted during the following times:

<u>Street Address</u>	<u>Designated Day</u>	<u>Permitted Hours of Water Use</u>
Odd Number	Saturday	4:00 a.m.-10:00 a.m. and 7:00 p.m.-10:00 p.m.
Even Number	Sunday	4:00 a.m.-10:00 a.m. and 7:00 p.m.-10:00 p.m.

A large parcel of property having a single watering system for several even and odd numbered address buildings may be irrigated on Sunday only.

Notwithstanding the above, irrigation of lawns, gardens, landscaped areas, trees, shrubs, or other plants is permitted at anytime except on Mondays if:

- (a) a hand-held hose is used; or
  - (b) a hand-held, faucet-filled bucket of five (5) gallons or less is used; or
  - (c) a drip-irrigation system is used, which is a soaker-type hose that when in use does not result in an aerial dissipation of water.
2. Landscape Permits: Upon issuance of a permit by the General Manager of the Office of Public

Utilities the following uses of water shall be permitted, except on Mondays:

- (a) The watering of new landscape at any hour between 4:00 a.m. to 10:00 a.m. and 4:00 p.m. to 8:00 p.m. for no more than twenty-one (21) consecutive days. Thereafter, watering is permitted between the hours of 4:00 a.m. to 10:00 a.m. for two (2) days each week as specified in the permit for one month. The permit fee shall be \$100.00. One permit per site shall be allowed. The watering of sod on the initial day of installation of the sod shall be permitted without restriction to hours of the day.
  - (b) The watering of landscape when required for chemical application for no more than three (3) consecutive days during permitted hours of water use. The permit fee shall be \$25.00. One permit per site shall be allowed.
  - (c) The withdrawal of water directly from the body of Lake Springfield by lake lease custodians during permitted hours of water use. The permit fee shall be \$50.00.
3. Commercial Exceptions: The use of water is permitted for irrigation except on Mondays, by commercial nurseries, commercial sod farmers, and such similar landscape businesses during permitted hours of water use. The use of water is permitted for irrigation by commercial nurseries and garden centers on Mondays during permitted hours of water use throughout the spring until June 30 by hand-held hoses or watering cans.

(C) WASHING VEHICLES PROHIBITED.

The use of water from the City water supply for washing vehicles including automobiles, trucks, trailers, boats, and other types of mobile equipment by retail water service customers is hereby prohibited except for the following:

1. Washing Vehicles on Designated Days: The washing of vehicles and other types of mobile

equipment on designated weekend days during permitted hours of water use. Such washing shall be done with a hand-held, faucet-filled bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.

2. Commercial or Health Exceptions: The use of water is permitted at the following establishments during the listed times:
  - a. A commercial car wash; anytime.
  - b. A new or used motor vehicle dealership on Thursdays between the hours of 9:00 a.m. and 5:00 p.m. for the purpose of preparing vehicles for sale. In the event a dealer receives a shipment of a new vehicle(s) or obtains a used vehicle(s), through trade-in or other means, the use of water shall be permitted for cleaning the vehicle on the day of arrival.
  - c. A commercial motor vehicle body repair or paint shop between the hours of 8:00 a.m. and 5:00 p.m. for the purpose of preparing vehicles or pursuant to a customer repair order. Commercial aircraft maintenance or body shops at any time or day of the week, including Mondays but only upon the delivery of the aircraft and not to exceed 30 minutes of water usage for each aircraft.
  - d. The Illinois Department of Transportation, Division of Aeronautics during maintenance activities between the hours of 3:00 p.m. and 12:00 midnight Monday thru Friday and on Saturday between the hours of 10:00 a.m. and 4:00 p.m.
  - e. Commercial establishments may wash trucks or equipment on Thursdays (odd address) and Fridays (even address) between the hours of 9:00 a.m. to 12:00 noon on the applicable day based on their address or on Tuesdays (odd address) or

Thursdays (even address) between  
the hours of 6:00 p.m. and 10:00  
p.m.

In addition, the use of water is permitted where the health, safety, and welfare of the public is contingent upon frequent vehicle cleanings, such as garbage trucks and vehicles to transport food and perishables. The washing of fire, police, or ESDA emergency response vehicles shall be permitted on an as-needed basis where the public safety requires.

3. Fundraisers: An organization may conduct one fund raising car wash event per year for one day with a permit issued by the General Manager of the Office of Public Utilities. No fee will be charged for the permit. The event shall be conducted in such a manner to minimize water used.

(D) SWIMMING POOL RESTRICTIONS:

The use of water from the City water supply for swimming pools is hereby prohibited except for the following:

1. Residential Use: The refilling or adding of water to residential swimming and/or wading pools on designated weekend days during permitted hours of water use. Newly installed swimming pools may be filled for the first time at any hour or day of the week, except on Monday. The filling of portable wading pools of less than 100 gallons shall be permitted, except on Monday.
2. Commercial Exception: The refilling or adding of water, except on Mondays, to commercial, community, or licensed day care facilities swimming and/or wading pools, provided that watering is conducted Tuesday through Sunday during permitted hours of water use.
3. Repair Exception. Once a pool has been first filled after opening for the season and the pool subsequently needs to be drawn down for repairs or maintenance, it can only be refilled during permitted hours of water use unless a permit is issued from the General Manager of the Office of Public Utilities. The permit fee for a one time refill shall be \$50.00.

(E) COMMERCIAL AND OTHER WATER USE RESTRICTIONS:

The following uses of water shall be prohibited:

1. Water used for street sweeping, routine sewer and inlet cleaning, or flow testing or any nonessential use of fire hydrants, except where protection of the public health and safety require.
2. Water used to serve restaurant customers at any time except when specifically requested by the customer.
3. Water used for public and private building air conditioning systems where the building temperature is maintained below 78 degrees whenever the cooling system is operational. Buildings requiring cooler temperatures or use of water to cool air conditioner coils may be exempted upon the approval of the General Manager of the Office of Public Utilities.
4. Water used for consolidation of backfill, dust control, resealing parking lots, or other nonessential uses associated with construction if suitable alternatives exist.
5. Water used for irrigation on golf courses and sport stadium fields except for the irrigation of golf tees, greens, fairways, and sport stadium fields between the hours of 9:00 p.m. and 7:00 a.m. The spot watering of greens at golf courses with a hand-held hose or bucket shall be permitted between the hours of 11:00 a.m. and 2:00 p.m. in order to prevent scorching of greens.

Notwithstanding these provisions, all golf courses shall strive to use only 50% of the total water used for that course, as calculated from the monthly billings of May-September 1999. Should the use exceed 50% of said total during any May thru September during the term of this ordinance, all use above that total shall be billed at three times the standard rate for that course.

Piper Glen Golf Course may pump water from Lake Springfield to the irrigation ponds on the course only if the lake level exceeds 557 feet above mean sea level during the term of this ordinance. The total use amount for Piper Glen Golf Course shall be limited to 50% of its 1999 pumpage from Lake Springfield, 12.82 million gallons, of any water from Lake Springfield or from the City's water system.

Lincoln Greens Golf Course shall be assigned a total use value equivalent to that of Bunn Park. Raw water used at Lincoln Greens shall be metered as possible during the term of this ordinance, and all use above the 50% value shall be billed at the inside-city retail water rate.

6. Monday is designated as a "dry day" during which all outdoor water use that may otherwise be permitted is prohibited as provided in this Ordinance.

(F) WASTE OF WATER PROHIBITED:

The following uses of water are defined as "waste" of water and are prohibited:

1. Allowing water to run off to a gutter, ditch, or drain during irrigation.
2. Failure to repair a controllable leak within a customer's property.
3. Washing buildings, sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas, except to alleviate immediate fire or public health hazards. Upon request, the Springfield Department of Public Health shall determine when a public health hazard exists.
4. Operation of any ornamental fountain or other structure making similar use of water, except when used in connection with an aquatic landscape installation that supports flora or fauna. The use of treated water to fill, refill, or maintain a level of any fountain is prohibited. Aquatic landscapes described above can only be refilled or have water added on designated weekend days during permitted hours of water use.
5. Commercial Exceptions: The use of water to clean buildings by a commercial cleaning business is permitted upon issuance of a permit from the General Manager of the Office of Public Utilities. The permit fee shall be \$50.00 per building.
6. Residential Exceptions: The use of water to clean residences and/or appurtenant structures such as decks is permitted upon issuance of a permit from the General Manager of the Office of Public Utilities. The permit fee shall be \$10.00 per residence.

(G) WATER HAULERS

1. The water rate for water haulers shall be increased to three (3) times the Outside-City water rate during the term of this ordinance. Bulk water rates listed in Section 52.43 shall also be increased during the effective period of this ordinance by three (3) times the existing rates.

Section 3: PENALTIES.

(A) Any retail water service customer who violates any provision of this ordinance regulating the use of water shall be subject to the following administrative penalties:

1. First Offense - \$50 per occurrence.
2. Second Offense - \$100 per occurrence.
3. Third Offense - \$500 per occurrence and service termination of two days.

Payment of said administrative penalty shall be made to the City of Springfield within 10 days of receipt of the Notice of Violation. If no payment is made within 10 days then said administrative penalty shall be added to the next monthly billing for the location where the violation occurred. Customers disputing the issuance of the Notice of Violation shall be entitled to an administrative hearing before a hearing officer to be named by the Office of Public Utilities to determine the validity of the Notice. The request for an administrative hearing must be filed within ten (10) days of receipt of the Notice of Violation.

(B) Any retail water service customer of the City of Springfield who violates the provisions of this Ordinance and fails to either pay the appropriate administrative penalty within ten (10) days of receipt of the Notice of Violation or fails to request an administrative hearing as set forth above shall be fined, upon conviction, not less than \$100 nor more than \$500 per occurrence.

Section 4: All funds collected pursuant to the above administrative penalties shall be deposited into a special revenue account established by the Director of the Office of Budget and Management. The funds shall be used for the purpose of paying for the administrative costs of enforcement of this Ordinance.

Section 5: The provisions of this Ordinance shall be deemed Rules and Regulations of the City with regard to the delivery of water service.

Section 6: The General Manager of the Office of Public Utilities may appoint utility security personnel, temporary and seasonal employees, and other personnel who shall have the authority to issue to any retail water customer of the City any Notice of Violation pursuant to any violation of the provisions of this ordinance.



Section 7. In accordance with authority provided in State law Illinois Compiled Statutes, 65ILCS5/1-2-4, this Ordinance shall take effect immediately upon its passage, due to the urgency of implementing immediate mandatory water conservation measures as a result of a shortage in the municipal water supply, and shall remain in full force and effect until further notice as set forth in this Ordinance, which shall be applicable to all water customers of the City of Springfield.

Section 8: The General Manager of the Office of Public Utilities is directed to cause this Ordinance to be implemented upon the effective date of this Ordinance. The City Council hereby invokes the City's contractual rights under all wholesale water service contracts with the City to require each wholesale customer to adopt water use regulations consistent with this Ordinance. The General Manager of the Office of Public Utilities is hereby authorized to serve notice to all wholesale water service customers of the City's desire to invoke said contractual rights.

PASSED: May 2, 2000

SIGNED: 5-3, 2000

RECORDED: May 3, 2000

Karen Hasaan  
MAYOR

ATTEST: Norma Lewis  
CITY CLERK

Approved as to legal sufficiency:

AML 5-2-00  
Office of Corporation Counsel

Requested by the Office of Public Utilities/Selinger