

8-1-14-1: WATER CONSERVATION:

A. Definitions: The following words and phrases when used in this section shall, for the purpose of this section, have the following meanings:

DRIP IRRIGATION SYSTEM: A soaking hose that when in use does not result in an actual dissipation of water.

DRIP LINE: Pertaining to a tree or shrub, the ground area immediately beneath the branches of the tree or shrub.

LANDSCAPE/LANDSCAPING: Gardens, trees, shrubs, and other living plants excluding new sod and seeded turf lawns.

PERMITTED HOURS OF WATER USE: A time period between six o'clock (6:00) A.M. and nine o'clock (9:00) A.M. and between six o'clock (6:00) P.M. and nine o'clock (9:00) P.M. each day.

PERSON: Any individual, firm, partnership, association, corporation, company, organization, or entity of any kind.

SOD AND/OR SEEDED TURF LAWNS: Areas of mowed or cultivated grass species, including, but not limited to, rye grass, fescue, bent grass, Bermuda, and/or zoysiagrass, exceeding one hundred (100) square feet in area.

VILLAGE: The village of Sugar Grove.

WATER: The water provided by and obtained by a person from the village water supply and distribution system.

B. Application:

1. The provisions of this section shall apply to all persons using water, and to all properties within the village or unincorporated areas that are connected to the village's water supply and distribution system, regardless of whether any person using the water has a contract for service with the village.

2. Pursuant to subsection C2 of this section, the provisions of this section shall apply annually from January 1 through December 31, subject to any modifications thereof, including application of these or other regulations during this or any other time, by an emergency proclamation.

C. Restricted Hours And Days For Specified Uses:

1. There shall be no restrictions as to hours or days when water from the village water distribution system may be used for the following:

a. Landscape watering or sprinkling where such watering or sprinkling is done by a person using a handheld watering device;

- b. Filling swimming pools with a volume of fifty (50) gallons or less;
- c. The automatic watering of trees and shrubs by means of automatic root feed or drip irrigation within the drip line of the tree or shrub;
- d. Vehicle and equipment washing; or
- e. Any other lawful use of water from the village water distribution system such as bathing, clothes washing, and other normal household uses not otherwise specifically restricted by the provisions of this section.

2. Water from the village water distribution system may only be used for the watering or sprinkling of gardens, lawns (except sod and/or seeded turf lawns planted or installed in the then current year), shrubs or other outdoor plants or for filling swimming pools, as follows:

- a. All properties with even numbered street numbers (i.e., numbers ending in 0, 2, 4, 6, 8) may use village distributed water for outdoor plant watering or pool filling on even numbered calendar dates during permitted hours of water use.
- b. All properties with odd numbered street numbers (i.e., numbers ending in 1, 3, 5, 7, 9) may use village distributed water for outdoor plant watering or pool filling on odd numbered calendar dates during permitted hours of water use.

D.Restrictions For Sod Laying And Lawn Seeding For Lawns: Notwithstanding the provisions of subsection C of this section, the following special regulations shall apply:

1. Use of water from the village water distribution system for the establishment of a sod and/or seeded turf lawn planted or installed in the then current year is prohibited from July 1 through August 31 each year unless the source of watering for said sod, lawn seeding and/or landscaping is derived from an imported water source or means other than the village of Sugar Grove water system. This prohibition shall not apply to soil erosion and sedimentation plans required pursuant to village ordinances (with approved plans) or for restorations due to required repairs of public utilities (e.g., water main breaks). Any required sedimentation plans or utility repair restorations shall follow the schedule delineated in subsections D2a through D2c of this section.

2. Except for the period of July 1 through August 31 of each year, water from the village water distribution system may be used for the establishment of sod and/or seeded turf lawns planted or installed in the then current year, only as follows:

Prior to sod laying or lawn seeding, a sod watering permit must be obtained from the village of Sugar Grove.

- a. On the day new sod or seed has been placed on a property, a person may use an automatic sprinkling device to apply water to the sod or seed for a total period of time not to exceed eight (8) hours.
- b. For the next nine (9) days thereafter, a person may apply water to said sod or seed each day during permitted hours of water use.

c. Following the first ten (10) days after the sod or seed is placed, the provisions of subsection C of this section shall apply if the provisions of subsections D2a and D2b of this section have been completed prior to July 1 of the current year, notwithstanding subsection D1 of this section.

3. Prior to the execution of any real estate contract for the sale of newly constructed property, the builder or owner of such new construction shall:

a. Inform prospective purchasers of the restrictions upon the installation of new lawns set forth in this section;

b. Attach a copy of these regulations to the contract; and

c. Obtain the signature of the purchaser(s) on a statement that he, she or they has (have) been informed of the new lawn installation restrictions set forth in this section.

4. The applicant for a certificate of occupancy for any newly constructed property shall submit as a part of his application, a copy of said signed statement. When an application for certificate of occupancy is submitted prior to sale of the property, and the future occupant is unknown, the applicant shall submit his signed statement that he shall comply with the requirements of this section at the time the real estate contract is executed.

E. 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 during the permitted hours of water use.

F. Exceptions: The provisions of this section shall not apply to any commercial or industrial entity for which use of water is necessary to continue normal business operations, or to maintain stock or inventory. Provided, however, this exception shall not apply to any and all uses of water not essential to normal business operations or maintenance of inventory or stock, and specifically shall not apply to landscape watering or pool filling.

G. Bulk Water Rates: Bulk water rates shall be increased to two (2) times the nonresident water rate.

H. Hydrant Use Prohibited: Hydrants connected to the village water supply and distribution system are for the purpose of providing water for firefighting and protection. Fire hydrants shall not be opened by any person, other than authorized village personnel, fire district personnel or permitted users.

I. Emergency Proclamation:

1. Whenever the water supply of the village is diminished from any cause, including, but not limited to, prolonged dry period, increased water demand, equipment failure, or water quality concerns, to an amount which in the opinion of the utilities supervisor or the director of public works is or is likely to become dangerous to the health and safety of the public, the village president, village administrator or his designee is hereby authorized and empowered to issue an emergency proclamation in the form of a public notice containing other additional regulations or restrictions on the use of water from the village water distribution system.

2. Such regulations or restrictions may provide for the limitations on usage of water, limitations on days and hours of use for some or all purposes and the prohibition of specified uses.
3. Upon issuing such proclamation, the village president, village administrator or his designee shall make the contents thereof known to the public by news release to the local newspapers and radio media and may also notify the citizens in any other practical manner that shall be devised. Further, the village president, village administrator or his designee shall immediately notify all members of the village board of the nature of the emergency and the regulations that have been imposed.
4. The emergency proclamation of the village president, village administrator or his designee and the regulations imposed thereby, shall remain in full force and effect until any one of the following shall occur:
 - a. The village president, village administrator or his designee 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 village board modifies, repeals or makes permanent the emergency proclamation, and the regulations imposed thereby, by means of ordinance passed at any regular or special meeting of the village board.
5. Any village employee or officer may, at the direction of the village administrator or his designee, notify and warn any persons 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 in violation of this section and penalties assessed as stated in subsection J of this section.

J. Penalty:

1. Any person who or which violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this section other than subsection D1 of this section, shall, within ten (10) days of receiving notice of such violation, pay at the village of Sugar Grove, a fine, as follows:
 - a. Fifty dollars (\$50.00) for a first offense;
 - b. One hundred twenty five dollars (\$125.00) for a second offense; and
 - c. Five hundred dollars (\$500.00) for each subsequent offense.
2. Any person who violates subsection D1 of this section shall, within thirty (30) days of receiving a notice of such violation, be subject to imposition of a fine up to seven hundred fifty dollars (\$750.00) for each offense.
3. Each day a violation occurs or continues shall be considered a separate violation for purposes of this section.

4. The amount of any fine due, if not paid as provided herein, shall be added to the bill for water consumption for the property at which the offense occurred. (Ord. 2005-12-06F, 12-6-2005)