

**AN ORDINANCE ENACTING
SECTIONS 86-46 THROUGH 86-51
OF THE CODE OF THE
TOWN OF LURAY, VIRGINIA
RE: DROUGHT / LOW WATER SUPPLY RESPONSE**

1. BE IT ORDAINED by the Town Council of the Town of Luray, Virginia, that Chapter 86, Article II, Division 1, of the Code of the Town of Luray, Virginia, is hereby supplemented to include the following sections:

Section 86-46. DROUGHT / LOW WATER SUPPLY SITUATIONS:

The Town of Luray acknowledges that there may be situations where the water supply to the Town's water system is reduced by a variety of factors. In recognition of this, the Town intends to apply educational, and ultimately enforcement actions, to achieve water conservation measures of varying degrees. This plan should enable appropriate water usage by appropriate water users at reduced consumption levels during these periods as declared by the Town Council of Luray, Virginia.

Section 86-47. DROUGHT / LOW WATER SUPPLY RESPONSE PLAN:

The Town Council of Luray adopts by reference the current version of the Northern Shenandoah Valley Regional Drought Response Plan. The adoption of this plan, and any plan authorized by the Town Council, is pursuant to, and authorized by, applicable sections of the Virginia Code (as required by 9VAC 25-780-120; and as authorized by Code of Virginia Sections 15.2-923 (ii) – Local Water-Saving Ordinances, and 15.2-924 - Water Supply Emergency Ordinances)

Section 86-48. TOWN COUNCIL DECISIONS AND DATA SOURCES:

(a) The Town Council reserves the right to interpret local water system data, and have sole local control over the declaration of a drought/low water supply watch, warning, or emergency. Likewise, the Town Council reserves the right to reduce, rescind, or eliminate any such local government declaration.

The following triggers will be used to prompt action:

WATCH. A 10% Reduction in Available Water Supply.

WARNING. A 15% Reduction in Available Water Supply.

EMERGENCY. A 20% Reduction in Available Water Supply.

The Town intends that appropriate and voluntary conservation measures will offset the reductions in available water supply and yield the following savings in

water use:

WATCH. A 5% Savings in Water Usage.

WARNING. A 10% Savings in Water Usage.

EMERGENCY. A 15% Savings in Water Usage.

(b) The Town Council shall choose their local data sources, establish their local trigger points for the varying declarations, and evaluate various information sources prior to enabling or rescinding any noted declaration.

(c) Should the NSVR plan become unsuitable to the Town of Luray, the Town Council reserves the right to substitute its own drought/low water supply response plan (as approved by the state) in lieu of Section 86-47.

(d) Should the water usage reduction measures implemented by the Town, either voluntary or mandatory, prove inadequate, the Town Council of Luray shall have the authority to impose additional measures to achieve the water usage reduction goals.

Section 86-49. ENFORCEMENT:

(a) The Luray Police Department shall enforce this ordinance. Violation of these sections shall constitute an offense as set forth below. Each day a violation continues shall constitute a separate offense.

(b) During a WATCH declaration:

(1) Verbal Reminder for any Noted Issues

(c) During a WARNING declaration:

(1) First Offense: Verbal Warning

(2) Second Offense: Written Warning Notice

(3) Third Offense: Written Penalty Notice
Disconnection of Service
Reconnection Fee

(d) During an EMERGENCY declaration:

(1) First Offense: Written Warning Notice

(2) Second Offense: Written Penalty Notice

Disconnection of Service
Reconnection Fee

(3) Third Offense: Written Summons
 Class 1 Misdemeanor
 Disconnection of Service
 Reconnection Fee

(e) Reconnection Fees for the various offenses shall be proposed by the Town Manager, and approved by the Town Council.

(f) Flagrant and/or repeat offenders of any declaration may, by decision of the Town Manager in consultation with the Police Chief and Town Attorney, be charged with a Class 1 misdemeanor.

(g) During the implementation of this ordinance, the temporary repeal of other local, inconsistent, ordinances within the Code of the Town of Luray shall be authorized by the Town Council. Such temporary repeals shall last the duration of the declaration in effect by the Town Council.

Section 86-50. APPEAL PROCESS:

(a) If a customer wishes to appeal any decision by the Town Manager, they can present their case before the Town Council.

(b) If a customer wishes to appeal any decision by the Town Council, they may appeal such decision to the Page County Circuit Court.

Section 86-51. NOTIFICATION:

The Town Council, upon rendering a decision pursuant to this Chapter, may make such decision known to the public by a variety of media sources such as newspaper, local television access channel, written notices, and/or telephone contacts.

2. This Ordinance shall be designated as Chapter 86, Article II, Division 1, Sections 86-46 through 86-51, of the Code of the Town of Luray, Virginia.

3. An emergency existing, this Ordinance shall be in full force and effect upon its adoption and enactment by the Town Council of the Town of Luray, Virginia.

4. ENACTED by the vote of the Town Council of the Town of Luray, Virginia, on the 13th day of June, 2011.