



Water Conservation Ordinance

20 Points Bronze Priority Silver Priority

Updated June 2013

Demands on NJ's limited water supply due to population growth and development have greatly increased, making water conservation a prudent step for New Jersey's citizens year round. The state has been subject to periodic droughts and water shortages. In addition, the creation and transport of potable water at any time utilizes resources such as electricity and chemical processing agents that have an environmental impact, including contributing to global warming. A Water Conservation Ordinance can help municipalities curtail unnecessary water waste. Seasonal outdoor water usage in particular can lead to an unnecessary reduction in reservoir storage, ground water levels, and stream flows. This Water Conservation Ordinance seeks to help extend available supplies through short-term drought periods, and to avoid recurrent drought warnings/water emergencies caused by late summer "drought."

NOTE: This final model ordinance released in 2011 represents a significant change from the original version released in 2009 in that it only allows watering twice a week and it promotes the use of smart controllers and advanced irrigation techniques that meet WaterSense standards.

Who should lead and be involved with this action?

The ordinance would follow the standard municipal review and approval process. Enforcement of restrictions would fall to local code and law enforcement officials.

Timeframe

Time required to approve ordinance is a function of local processes. Enforcement requirements would likely be limited to summer months and could occur during normal code and law officials' community rounds or based on complaints.

Project Costs and Resource Needs

Costs to implement this tool are minimal:

- The drafting, review, and approval of the ordinance may involve some limited professional consultant and attorney review.
- Notification of community members regarding new policy could include preparation and distribution of information materials.
- Enforcing the ordinance should present only a very modest increase in staff time if enforcement occurs during normal staff work routines and travel around municipality.
- Primary burdens are on municipal staff to 1) remain vigilant during watering season, and 2) handle any enforcement actions and follow-up.

Why is it important?

Water is a critical natural resource that supports essential human activities as well as ecological functions. Shortages can have dangerous and significant implications for public health as well as for the local economy and for ecological integrity. In addition to reduced groundwater recharge from increasing impervious surfaces, demands on New Jersey's limited water supply due to population growth and development have greatly increased. As the state has been subject to

periodic droughts and water shortages, these trends have created water deficits in numerous watersheds. The ongoing water deficits demonstrate that water conservation is a prudent step for New Jersey's citizens year round. This action puts in place controls on the excessive and wasteful use of potable water in a municipality; it also gives municipal officials authority to limit water use beyond what State drought controls may require if deemed necessary for that particular locality. On a more modest scale, controls on water use also reduce energy consumption and CO2 emissions by decreasing pumping activity.

What to do, and how to do it ("How To")

Implementing this action requires several basic steps:

- 1) Draft and approve an ordinance substantially based on the **model ordinance** and specific to the implementing municipality. The ordinances should limit watering to two days per week and also limit the hours when lawn watering or other irrigation can occur. In addition to specifying that all water sources (e.g. private well, public, etc) except those expressly exempt fall under the restrictions, the ordinance also should grant local authority to impose additional limitations during emergency conditions.
- 2) Notify community members about new policies governing outdoor water use. This can be done via existing outreach mechanisms such as community newsletters and a municipal web page.
- 3) Notify municipal staff (public works, police, etc.) about new policy and assign monitoring and enforcement responsibilities. The municipality may choose to delay enforcement in the first year and use year one as an opportunity to raise community awareness. Note: This model ordinance should be handled as any proposed ordinance. The model requires edits to reflect specifics of each municipality considering adoption. Any substantial diversion from this model relating to water use restrictions should be discussed with Sustainable Jersey partners.

What to submit to get credit/points

The three required elements of the ordinance are:

- 1) Provisions limiting outdoor watering from automated systems to no more than two days a week during limited windows of time.
- 2) Provisions requiring Smart Controllers for all new installed irrigation systems.
- 3) Provisions that incentivize converting existing dumb systems to Smart Controllers.

We will consider alternatives to one of these provisions. In the past we have approved approaches such as variable pricing for water based on volume of use, and rebates to consumers for the installation of water saving technology. Granting of points for alternatives is not guaranteed and we strongly encourage municipalities to discuss options with us prior to implementing if they want to receive points.

In order to earn points, your submission must meet the following standards:

- 1) As long as the ordinance is currently instituted, it may have been adopted at any time prior to application for certification to be eligible for points.
- 2) The ordinance can be adapted to municipal needs, however, it must at least contain all the major provisions of the model ordinance.

Submit the following documentation to verify the action was completed to the above standards. (Log in to the password protected webpage where you submit your online application for certification to write in the text box and upload documents).

- 1) In the text box, please provide a short narrative (300 word max) to summarize what was accomplished and the general steps taken to accomplish it.
 - Upload: Water conservation ordinance as approved by the local governing body, including the date of adoption.

- Upload: Outreach materials used to inform the community of the ordinance and its intent. These could include newsletter articles, mailings, etc.
- Upload: Documentation that the appropriate municipal staff (e.g. public works, police, etc.) were informed of the ordinance, its intent, and its responsibilities. This may include a memo to the department staff.

IMPORTANT NOTES: You can upload up to six separate documents for each action. Please excerpt relevant information from large documents. Please remember that your submissions will be viewable by the public as part of your certified report.

Spotlight: What NJ towns are doing

A number of New Jersey municipalities have passed water conservation ordinances. Most limit days and hours when lawn watering or other irrigation can occur, specify water uses falling under the restrictions, and grant local authority to impose additional limitations during emergency conditions. Some towns have simply established a sprinkler use ordinance that sets a schedule for lawn watering, while others pass an annual resolution to establish seasonal restrictions. The City of Camden passed a **water conservation ordinance** that meets the submission requirements for this action.

Resources

CASE STUDIES:

US

Alabama Model Ordinance

<http://www.adeca.state.al.us/Office%20of%20Water%20Resources/Document%20Library/SampleOrdinancePage.pdf>

Aurora IL

http://www.aurora-il.org/development_services/publicworks/waterproduction/conservationtips.php

GENERAL RESOURCES ON WATER CONSERVATION:

NDEP Water Conservation Ideas for Saving Water

<http://www.nj.gov/dep/drought/ideas.html>

“Why Water Conservation Is Important”

http://www.nesc.wvu.edu/pdf/DW/conserves/conservation_otf05.pdf

“Conservation 101”

<http://www.nesc.wvu.edu/ndwc/articles/OT/SP03/Conserve.html>

Morris County (NJ) Municipal Utilities Authority “Water Wheel”

http://www.mcmua.com/w_WaterConservationWheel.asp

USEPA Water Sense Program

<http://www.epa.gov/watersense/>