

ORDINANCE NO. 110

BOROUGH OF INDIAN LAKE, SOMERSET COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF INDIAN LAKE, SOMERSET COUNTY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR DECLARATION OF DROUGHT EMERGENCIES, A WATER SHORTAGE RESPONSE PLAN AND ESTABLISHING THE LEGAL FRAMEWORK TO IMPLEMENT SUCH A PLAN AND ESTABLISHING PENALTIES FOR VIOLATION.

WHEREAS, the Borough of Indian Lake finds and determines that in order to conserve and protect its water supply and to meet the essential water needs of those residents to which public water services is provided, it is necessary to adopt a water shortage response plan and to establish the legal framework to properly implement such a plan; and

WHEREAS, the purpose of this Ordinance is to protect public health and safety during periods of water shortage: and

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Borough of Indian Lake, County of Somerset, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the Borough as follows:

SECTION 1: WATER SHORTAGE RESPONSE PLAN

The Water Shortage Response Plan of Indian Lake Borough, Somerset County adopted hereby shall consist of LOCAL WATER RATIONING PLAN (Exhibit "A" attached hereto), DROUGHT CONTINGENCY PLAN (Exhibit "B" attached hereto), and DROUGHT EMERGENCY NONESSENTIAL USE BAN (Exhibit "C" attached hereto). The plan may be modified and updated by Resolution of the Indian Lake Borough Council.

SECTION 2: NON-ESSENTIAL USES OF WATER

Those uses of water not essential to the protection of public health and safety are deemed nonessential. Nonessential uses of water may be restricted by both voluntary and mandatory measures as prescribed and outlined within the Water Shortage Response Plan. A list of nonessential water uses is included in the Plan.

SECTION 3: MANDATORY WATER USE RESTRICTIONS & PENALTIES

If, during a water shortage period declared by resolution of the Borough Council of Indian Lake, upon the advice of a local water provider that a voluntary ban on nonessential uses of water has not sufficiently reduced the rate of depletion of the water supply sources, and those sources have reached a level at which the Response Plan prescribed more severe demand reduction measures, a mandatory restriction of nonessential water uses shall be imposed.

Those water service customers found not complying with any provision of the Water Shortage Response Plan shall upon conviction before a magistrate pay a fine of up to \$600.00 for each day and each instance of noncompliance. Prosecution for violation shall not waive or impede the Borough's right to terminate service for violation.

SECTION 4: WATER RATIONING


If a water shortage emergency is declared within a specific water service area of the Borough and both voluntary and mandatory restrictions of nonessential water uses have failed to sufficiently reduce the rate of depletion of all available water supply sources, water rationing may be implemented. The Borough of Indian Lake Water Rationing Plan is included in the Water Shortage Response Plan and adopted herein as a part of the Ordinance. Changes made in the plan from time to time shall be automatically incorporated herein upon adoption by the local water provider and approval by the Pennsylvania Emergency Management Council, or other agency having jurisdiction over such plans.

SECTION 5: EXEMPTIONS


Any water service customers may apply to the Borough of Indian Lake for an exemption to the terms of this Ordinance which may be granted by the Borough Council upon adequate evidence of inequitable hardship imposed through adherence to the provisions of the Plan and evidence that the exemption will not lead to greater problems for the remaining customers of a water service provider.

ORDAINED AND ENACTED this 10th day of February, 1999.

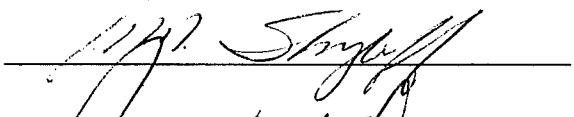
BOROUGH COUNCIL OF THE BOROUGH OF
INDIAN LAKE, SOMERSET COUNTY,
PENNSYLVANIA

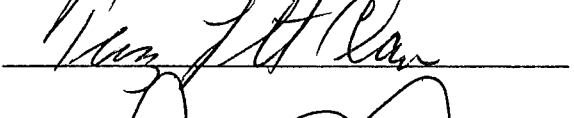


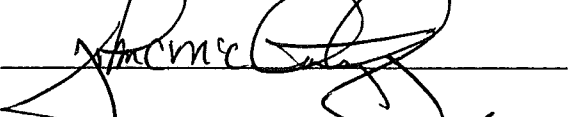
President





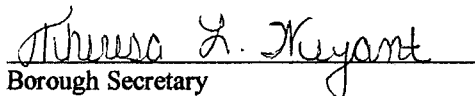








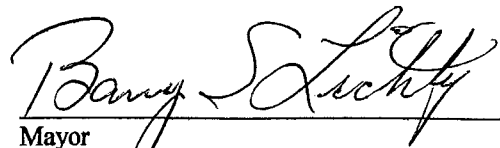
ATTEST:



Borough Secretary

(SEAL)

Approved this 10th day of February, 1999



Mayor