



**WHEREAS,** The Harlan Municipal Utilities (HMU) Board of Trustees of Harlan, Iowa, recognizes that supplies of potable water are essential for the health, safety, and welfare of its citizens.

**WHEREAS,** The Harlan Municipal Utilities has limited capacity and from time to time during and following drought conditions or due to equipment failure, HMU's water supply may become significantly and seriously depleted such that there is an insufficient supply of water to meet all customary and usual demands.

**WHEREAS,** The Harlan Municipal Utilities, deems it essential to protect the safety of its citizens in the event that the limited capacity of the Water Utility may be threatened.

**LET IT THEREFORE BE ORDAINED:**

**Definitions:**

*Customer:* any person, company, or organization using processed potable water supplied by Harlan Municipal Utilities. No customer shall change billing classifications during a water watch, warning or emergency.

*Water Use:* Water used for personal needs such as drinking, bathing, heating, cooking, sanitation, lawn watering, filling of pools (not an all-exclusive list). Water used to produce goods or furnish services by any individual or establishment (non-profit or for profit).

*Public Notification:* Water Watch proclamations will be delivered through the local radio station, HMU's social media outlets, and the local newspaper. Water Warnings or Water Emergency Proclamations will also include written notifications to each customer in addition to the radio, social media and newspaper outlets.

**1.01 WATER SHORTAGES.** Under the conditions set forth in this policy, Harlan Municipal Utilities, in consultation with the Operator in Charge, may find, and by proclamation declare, a public Water Watch, Water Warning or Water Emergency, during which time the following measures and provisions shall be in effect to prevent depleting the water supply for human consumption and sanitation and to produce an orderly and equitable reduction of water consumption.

Immediately upon the issuance of such a proclamation, regulations and restrictions set forth under this policy shall become effective and remain in effect until the water shortage is terminated and the proclamation rescinded through public notification.

Water uses, regulated or prohibited under this policy, are considered to be non-essential and continuation of such uses during time of water shortage is deemed to constitute a waste of water, subjecting the users to surcharges, termination of service, reconnection costs and excess consumption fees.

**1.02 CONDITIONS.**

1. "Water Watch"- A Water Watch may be declared when a water shortage poses a potential threat to the ability of the water system to meet the needs of its customers currently or in the foreseeable future. Indicators of the need to impose a Water Watch include any single instance or combination of the following:



- A. Water Plant System operating at 80% pumping capacity. (Example: A system can pump and treat 1,000,000 gallons of potable water per day. Once 800,000 gallons are pumped these measures would go into place).
- B. A Moderate decrease in the pumping water level of wells. A moderate decrease is defined as approximately 20% water production in wells.
- C. Conditions arising due to drought.

2. **“Water Warning”** – A Tier I or Tier II Water Warning may be declared when a water shortage poses a serious threat to the ability of the water system to meet the needs of its customers currently and in the foreseeable future.

**Tier I Water Warning** indicators include any single instance or combination of the following:

- A. Water Plant System operating at 85% pumping capacity.
- B. Significant decrease in the pumping water level of wells. A significant decrease is defined as approximately 25% water production in wells.
- C. Previous water conservation measures under a water watch have failed to reduce water usage.

**Tier II Water Warning** indicators include any single instance or combination of the following:

- A. Water Plant System operating at 90% pumping capacity.
- B. Significant decrease in the pumping water level of wells. A significant decrease is defined as approximately 25% water production in wells.
- C. Severe system emergencies. Severe system emergency is defined as any situation that negatively effects the operation of the treatment plant or water distribution system.
- D. A system failure in feeder mains, treatment plant or water distribution system.
- E. Any other unforeseen or unpredictable events which pose a significant threat to the ability of the water utility to furnish adequate supplies of potable processed water.
- F. Previous water conservation measures under a Water Watch or Water Warning have failed to reduce water usage.

3. **“Water Emergency”** – A Water Emergency may be declared when a water shortage-poses a severe and immediate threat to the ability of the water system to meet the needs of its customers. Indicators of the need to impose a Water Emergency include any single instance or combination of the following:

- A. Water Plant System operating at 95% pumping capacity.
- B. Serious decrease in recovery rate of water level in wells. A serious decrease is defined as approximately 30% of water production in wells.
- C. Previous water conservation measures under a Water Watch or Water Warning have failed to reduce water usage.

**1.03 GENERAL PROCEDURE.** In the time during or following a water shortage the following procedures shall be followed:

**1. Water Watch** - Under a Water Watch, all customers of the municipal water service are encouraged to limit or curtail all nonessential uses of water in order to conserve precious water resources during the time of shortage.



- A. No potable watering of lawns, shrubs, trees, flower or vegetable gardens between the hours of 8:00 a.m. and 8:00 p.m.
- B. No potable water should be used to wash streets, parking lots, driveways, sidewalks or building exteriors.
- C. No potable water should be used for cleaning of equipment, machinery or interior spaces.
- D. Washing of vehicles/equipment is prohibited except in commercial establishments that provide a washing service (eg. Commercial car wash).
- E. Water should be served at restaurants only upon the request of the customer.
- F. The use of fire hydrant meters is prohibited.

Water reclaimed or recycled after some other primary use, such as water that has been used for washing or cooling, may be used without restriction. Additionally, water derived from sources other than the HMU water utility, such as water condensed from the atmosphere by air conditioners or collected from rain or snow, private wells, may be used without restriction.

**2. Water Warning- Tier I.** Under a Tier I Water Warning, no customer shall use potable processed water of the HMU water utility in any manner contrary to the following:

- A. No potable watering of lawns, shrubs, trees, flower or vegetable gardens (except as in B. listed below)
- B. Watering or irrigation of vegetable gardens, trees and shrubs less than four (4) years old and new seedlings is permitted once per week.
- C. Vehicle/equipment washing is prohibited except in commercial establishments that provide a washing service (eg. Commercial car wash).
- D. No potable water shall be used to fill private swimming pools, children's wading pools, reflecting pools or any other structure that can be used to house water for recreation use.
- E. No potable water shall be used to wash streets, parking lots, driveways, sidewalks or building exteriors.
- F. Racetracks shall not use potable water on racetrack.
- G. No potable water shall be used for cleaning of equipment, machinery or interior spaces.
- H. Water shall be served at restaurants only upon the request of the customer.
- I. Customers with facilities for tank loading water sales may be curtailed or eliminated.
- J. No potable water shall be used for recreational or leisure water use, including sporting complexes and golf courses. Drinking fountains and restrooms will remain open.
- K. All use of fire hydrant meters are prohibited.
- L. Interruptible customers will reduce average daily water usage by 25% and make all attempts to use water only during the hours of 8:00 pm through 8:00 am. If non-compliant, please see surcharges.

Water reclaimed or recycled after some other primary use, such as water that has been used for washing or cooling, may be used without restriction. Additionally, water derived from sources other than HMU's water utility, such as water condensed from the atmosphere by air conditioners or collected from rain or snow, private wells, may be used without restriction.

**3. Water Warning- Tier II.** Under a Tier II Water Warning, Water Warning Tier 1 use restrictions will be in effect and no person shall use potable processed water of the municipal water service in any manner contrary to the following:



- A. All outside water use, except for sanitation, and fire is prohibited.
- B. Water use not necessary for the preservation of life or the general welfare of the community is prohibited.
- C. Commercial vehicle washing facilities can operate on even days of the month only.
- D. Interruptible customers will reduce average daily water usage by 50% and make all attempts to use water only during the hours of 8:00 pm through 8:00 am. If non-compliant, please see surcharges.
- E. Customers with facilities for tank loading water sales will be curtailed or eliminated.

Water reclaimed or recycled after some other primary use, such as water that has been used for washing or cooling, may be used without restriction. Additionally, water derived from sources other than HMU's water utility, such as water condensed from the atmosphere by air conditioners or collected from rain or snow, private wells, may be used without restriction.

**4. Water Emergency.** Under a Water Emergency, Water Warning Tier II use restrictions will be in effect and, in addition, each customer will be afforded a monthly allocation of water described in usage allocation below.

- A. Interruptible customers services will be shut-off with a minimum 24-hour notice.
- B. Vehicle/Equipment washing is prohibited at all locations including commercial vehicle washing facilities.
- C. Customers with facilities for tank loading water sales will be eliminated at all locations.

Water reclaimed or recycled after some other primary use, such as water that has been used for washing or cooling, may be used without restriction. Additionally, water derived from sources other than HMU's water utility, such as water condensed from the atmosphere by air conditioners or collected from rain or snow, private wells, may be used without restriction.

**5. Usage Allocation.** The usage allocation of water shall be determined by a residential/commercial customer's most recent ~~March~~ June usage prior to when the "Water Emergency" proclamation was issued. Any usage above the June usage will be billed at ten times the residential/commercial regular billing rate. The usage allocation of water for an interruptible customer shall be determined by an average daily usage for the previous twelve (12) month period of the initial proclamation and used for the duration of the proclamation. (Example: A Water ~~Watch~~ Emergency is put into effect on May 1, 2021. The previous twelve (12) month period of usage would be from May 2020 through April 2021.)

For critical users, commercial, industrial, institutional, or other residential uses, the usage allocation may be increased based upon factors appropriate to the individual customer, such as usage, production, service, and occupancy data provided by the customer. (Example: hospital).

**6. Premium Rate** for any customer who uses or consumes water in excess of their usage allocation shall pay a premium rate of ten times that customers regular usage rate. Adjustments may be granted for over-consumption on a case-by-case basis.

**1.04 SURCHARGES.** The following surcharges shall be applied for violations of water warning or water emergency use restrictions imposed under this chapter.

- A. First Violation. For a first violation, the utility shall issue a written notice of violation to the water user violating the water use restrictions imposed during a Water Watch, Water Warning or



Water Emergency. The customer who uses or consumes water in excess of the usage allocation shall pay the premium rate for any usage above their usage allocation. Interruptible customers that do not reduce consumption during a Tier I or Tier II Water Warning or Water Emergency in accordance with this chapter will be charged at the premium rate for all water usage in excess of their usage allocation and be subject to disconnection of water service(s).

- B. Second Violation. For a second violation the customer who uses or consumes water in excess of the allocation shall pay the premium rate for any usage above their allocation, and, in addition, the utility shall interrupt water service to the customer at the premises at which the violation occurred. Interruptible customers that do not reduce consumption during a Tier I or Tier II Water Warning or Water Emergency in accordance with this chapter will be charged at the premium rate for all water usage in excess of their usage allocation will be disconnected from the water system. Service shall not be restored until the customer has paid the reconnection fee and has provided reasonable assurance that future violations of Water Watch, Water Warning or Water Emergency use restrictions will not occur.

**1.05 REDUCTION IN FLOW OF WATER TO ANY PERSON.** Harlan Municipal Utilities does not provide a guarantee of water to any person or entity. Harlan Municipal Utilities is authorized, after giving a 24-hour notice, to reduce or disconnect the flow of water to any customer determined to be using water in any manner not in accordance with this policy during a Water Watch, Water Warning or Water Emergency.

**1.06 REPEALER CLAUSE.**

All policies or parts of this policy in conflict herewith are hereby repealed.

**1.07 SEVERABILITY CLAUSE.**

If any section, provision, or part of this policy shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the policy as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**CERTIFICATION OF ADOPTION**

This is to certify that the preceding Water Policy No. 6, Water Conservation Plan was revised and adopted at the Board of Trustees' meeting which was duly noticed, legally constituted and held on the 22<sup>nd</sup> day of July, 2021.

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CHAIRPERSON, David Tyrrel (term 2023)

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TRUSTEE, Randall Rees (term 2025)

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TRUSTEE, Nella Seivert (term 2024)

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TRUSTEE, Terry Arentson (term 2021)

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TRUSTEE, Michelle Erickson (term 2022)

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SECRETARY, Kenneth C. Weber