
Chapter 73 — Drought Emergencies

Article I — Water Use Restrictions

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Article I — Water Use Restrictions

§ 73-101 Short Title.

This Article shall be known, and may be cited, as the “Alburtis Drought Emergency Ordinance”.

§ 73-102 Purpose.

(a) **Commonwealth Program.** The Commonwealth of Pennsylvania has developed a three-stage approach to drought preparedness and response which consists of:

- (1) A *drought watch*, which is to alert the public and elected officials;
- (2) A *drought warning*, which is to prepare and coordinate community response; and
- (3) A *drought emergency*, which is a declaration by the Governor pursuant to the Emergency Management Services Code, title 35 of the Pennsylvania Consolidated Statutes.

(b) **Borough Program.** The Borough of Alburdis is, by statute and regulation, required to be responsive to the need to conserve water at any of the foregoing stages of preparedness and even prior thereto in the event that local conditions are deemed to require more immediate action.

§ 73-103 Authorization of Mayor.

Council hereby empowers the Mayor to invoke the power of this Article to impose prohibitions upon certain uses of water described in § 73-104 within the Borough whenever, in his or her judgment, any of the three (3) stages of drought preparedness are declared to be in existence in the Borough of Alburdis.

§ 73-104 Activities Which May Be Restricted.

The Mayor, in the exercise of the action empowered by this Article, shall consider the following activities, in the sequence of listing below, as a series of prohibitions to be imposed either sequentially or at random, individually or as a group:

- (a) Washing of streets, roads, sidewalks, driveways or any outdoor paved surface, except when necessary for repaving.
- (b) Filling and topping off of swimming pools.
- (c) Car washing, except in car wash facilities that recycle water.
- (d) Watering lawns and gardens, except with the use of a hand-held hose or container. (This prohibition is *not* applicable to commercial nurseries.)
- (e) Operation of outdoor fountains and circulating pools.
- (f) Serving water in restaurants, except at the request of customers.

§ 73-105 Violations and Penalties.

Failure of any person or persons to act in response to a prohibition imposed by the Mayor under the terms of this Article shall subject the responsible individual or individuals to the issuance of a citation by the Borough Police Department and subsequent penalties to be imposed as follows:

(a) **First Offense.** The initial citation shall subject the party cited to a “warning” only.

(b) **Second Offense.** A subsequent citation shall be punishable by a fine of Twenty-five Dollars (\$25.00) and costs of prosecution in the form of a summary proceeding.

(c) **Subsequent Offenses.** Any citation issued to a person or persons in excess of two (2) previous citations shall subject the party to a fine of Twenty-five Dollars (\$25.00) plus an additional amount in multiples of One Hundred Dollars (\$100.00) for each previous citation issued in excess of the first citation whereupon a fine and costs have been levied and paid.

Appendix

¶ 73-A Disposition of Ordinance 269.

<u>Ordinance 269</u>	<u>2003 Codified Ordinances</u>
§ I(1)	§ 73-102(a)
§ I(2)	§ 73-102(b)
§ II(1)	§ 73-103
§ II(2)	§ 73-104
§ III	§ 73-105

¶ 73-B Source Ordinances.

Ordinance 269	05-10-1989
Ordinance 415	10-29-2003

¶ 73-C Prior Ordinances Concerning Related Subject Matter.

Ordinance 98	08-06-1962
Ordinance 370	07-28-1999

¶ 73-D Derivation of Unofficial Chapter 66 to 1981 Code (after Ordinance 269).

In 1989, General Code Publishers Corp. printed an unofficial codification of Ordinance 269 to Chapter 66 of the 1981 Code. Borough Council did not formally add Ordinance 269 to the 1981 Code, and did not formally adopt any of the numbering and stylistic changes made by General Code Publishers Corp.

A copy of the GCP unofficial Chapter 66 is provided with the on-line and CD-ROM versions of the Codified Ordinances.

The provisions of the GCP unofficial Chapter 66 were derived from Ordinance 269 as follows:

<u>Unofficial Chapter 66</u>	<u>Ordinance 269</u>
§ 66-1(A)	§ I(1)
§ 66-1(B)	§ I(2)
§ 66-2(A)	§ II(1)
§ 66-2(B)	§ II(2)
§ 66-3	§ III