

Chapter 66

DROUGHT EMERGENCIES

§ 66-1. Purpose.

§ 66-2. Procedure.

§ 66-3. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Alburdis 5-10-89 as Ord. No. 269, approved 5-10-89. Amendments noted where applicable.]

§ 66-1. Purpose.

- A. The Commonwealth of Pennsylvania 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.¹
- B. 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.

¹ Editor's Note: See 35 Pa.C.S.A. § 7101 et seq.

§ 66-2. Procedure.

- A. The Council for the Borough of Alburdis does hereby empower the Mayor to invoke the power of this chapter to impose prohibitions upon certain uses of water within the Borough of Alburdis whenever, in his or her judgment, any of the three (3) stages of drought preparedness are declared to be in existence in the Commonwealth of Pennsylvania and the Borough of Alburdis.
- B. The Mayor, in the exercise of the action empowered by this chapter, 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:
- (1) Washing of streets, roads, sidewalks, driveways or any outdoor paved surface, except when necessary for repaving.
 - (2) Filling and topping off of swimming pools.
 - (3) Car washing, except in car wash facilities that recycle water.
 - (4) Watering lawns and gardens, except with the use of a hand-held hose or container. (This prohibition is not applicable to commercial nurseries.)
 - (5) Operation of outdoor fountains and circulating pools.
 - (6) Serving water in restaurants, except at the request of customers.

§ 66-3. 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 chapter 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. The initial citation shall subject the party cited to a warning only.

- B. A subsequent citation shall be punishable by a fine of twenty-five dollars (\$25.) and costs of prosecution in the form of a summary proceeding.
- C. 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.) plus an additional amount in multiples of one hundred dollars (\$100.) for each previous citation issued in excess of the first citation whereupon a fine and costs have been levied and paid.