

growing or selling plants of any kind.

(3) Beginning with the implementation of daylight savings time and continuing throughout the duration of daylight savings time, outdoor watering of grass, trees, plants or other vegetation shall be prohibited between the hours of 10 a.m. and 6 p.m.

(4) The provisions of this section taking place during daylight savings time may be implemented at other times of the year by the city manager upon determination that conditions surrounding the city's water supply warrant the imposition of such conservation measures. Should the city manager implement conservation measures at a time when daylight savings time is not in effect, the commission will consider such implementation at its next regular meeting and either ratify the manager's actions or remove the conservation measures.

(Ord. No. 948, § 1, 6-13-95; Ord. No. 1008, 4-8-97; Ord. No. 1056, 3-23-99)

28-03-034. Nonessential water use restrictions.

1. The following restrictions shall apply to all customers of or persons who use or receive treated water from the City of Alamogordo: The use of a free-flowing hose to wash any vehicle is prohibited. Vehicles may be washed only from a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. This prohibition also includes the operation of vehicle washes such as fund-raisers held at commercial businesses, but does not apply to the washing of vehicles when conducted as part of normal business operations on the premises of a commercial car wash or a commercial service station.

2. "Wasting water" is prohibited. The following practices are wasting water:

(a). Using treated water for any purpose in such a way that it flows, sprays, or is otherwise excessively discharged upon any street, alley or other public right-of-way, ditch or drain;

(b). Failing to repair a leak in a system which delivers water within five (5) working days of the discovery of same;

3. All swimming pools, which are constructed after the effective date of this ordinance must be equipped with filtration, pumping and recirculation systems. For purposes of this ordinance, a swimming pool is any structure more than twenty-four (24) inches in depth and containing more than one thousand one hundred twenty-two (1,122) gallons of water and intended primarily for recreational use.

4. New or replacement bleeder lines from evaporative coolers shall not be larger than one-eighth-inch inside diameter. Bleeder lines shall not be routed into the sewer system where the effluent can be used to water landscaping or other outdoor vegetation, except where this would be impractical or unfeasible.

5. Restaurants shall provide drinking water to customers only upon request.

(Ord. No. 948, § 2, 6-13-95)

28-03-035. Water rationing.

1. The following water conservation stages shall be in effect at the times specified. When Stage 1, Stage 2, or Stage 3 water rationing is in effect, no person, firm or corporation shall use any water in violation of any provision of this ordinance.

(a) Stage 1: Water rationing. Whenever the storage facilities for the city's water system contain less than fifty (50) percent of capacity, the city manager shall have the authority to impose Stage 1 water rationing. The city commission shall consider the actions of the city manager at its next meeting at which time the city commission shall approve or disapprove the action taken by the city manager. The following requirements shall be in effect.

(1) The city manager shall make public announcements, through the print and broadcast media concerning the Stage 1 water rationing, whenever Stage 1 is in effect. The announcement will include a description of the rationing restrictions.

(2) Use of water through a sprinkler system or use of water through a hose to water any grass, trees, plants or other vegetation shall be determined as follows:

a. Users with odd numbered addresses shall be permitted to use water in the above manner on each Wednesday and Sunday.

b. Users with even numbered addresses shall be permitted to use water in the above manner on each Tuesday and Saturday.

c. Watering in the above manner shall be prohibited between the hours of 10 a.m. and 6 p.m.

(3) These restrictions shall apply to all residences and to all businesses and institutions having lawns, gardens, trees, or shrubs, and shall be followed at all parks and public buildings which are watered with treated water. Areas watered with effluent or well water are exempted from these restrictions. These restrictions shall not apply to any person, firm or corporation engaged in the business of growing or selling plants of any kind.

(4) No swimming pools shall be filled. Swimming pools that were filled before Stage 1 water rationing went into effect may have water added to make up losses through evaporation or splashing. Water lost through draining or through leaks in the pool may not be made up during Stage 1 water rationing.

(5) Newly seeded or sodded lawns or newly planted trees or shrubs shall be exempted from Stage 1 water rationing for the time needed to establish the lawn, tree or shrub, provided the vegetation was planted before Stage 1 was imposed and the time needed to establish the lawn, tree or shrub does not exceed sixty (60) days. No lawns shall be newly seeded or sodded or trees or shrubs planted after Stage 1 is imposed. Newly seeded and sodded shall be defined and subject to restrictions as stated in Section 28-03-033.

(6) No water shall be used for fund-raising car washes.

(b) Stage 2 water rationing. Whenever the storage facilities for the city's water system contain less than thirty-five (35) percent of capacity, the city manager shall have the authority to impose Stage 2 water rationing. The following requirements will be in effect:

(1) The city manager will make public announcements through the print and broadcast media

that Stage 2 is in effect. The announcements will include a description of the rationing restrictions.

(2) The city commission shall be called into emergency session in accordance with the current open meetings resolution after the imposition of Stage 2 to consider ratifying the city manager's action or to amend or lift the Stage 2 water rationing as circumstances warrant.

(3) Use of water through a sprinkler system or use of water through a hose to water any grass, trees, plants or other vegetation shall be determined as follows:

a. Users with odd numbered addresses shall be permitted to use water in the above manner on each Friday.

b. Users with even numbered addresses shall be permitted to use water in the above manner on each Tuesday.

c. Watering in the above manner shall be prohibited between the hours of 10 a.m. and 6 p.m.

(4) These restrictions shall apply to all residences and to all businesses and institutions having lawns, gardens, trees, or shrubs and shall be followed at all parks and public buildings which are watered with treated water. Areas watered with effluent or well water are exempt from these restrictions.

(5) No water shall be used to wash any vehicle (including fund raising car washes at commercial businesses), except at places of business where autos are washed on every business day either with attendants, with automatic equipment or by self service.

(6) No swimming pools will be filled and no water shall be added to any swimming pool. Indoor pools used for medical or rehabilitative purposes shall be exempt from this section.

(7) Washing sidewalks, driveways, parking areas, tennis courts, patios or other impervious surface areas with a hose except in emergencies to remove spills of hazardous materials or to eliminate dangerous conditions which threaten the public health, safety, or welfare, is prohibited.

(c) Stage 3 water rationing. Whenever the storage facilities of the city's water system contain less than twenty-five (25) percent of capacity, the city commission finds that the city is in a state of emergency and the following measures are necessary to protect the health and welfare of the citizens. The city manager shall have the authority to impose Stage 3 water rationing. The following requirements will be in effect:

(1) The city manager will make public announcements in the print and broadcast media that Stage 3 water rationing is in effect. The announcements will include a description of the provisions in effect.

(2) The city commission shall be called into emergency session in accordance with the current open meetings resolution after the imposition of Stage 3 to consider ratifying the city manager's action or amend or lift the Stage 3 water rationing as circumstances warrant.

(3) Use of water through a sprinkler system or use of water through a hose to water any grass,

trees, plants or other vegetation shall be determined as follows:

- a. Users located north of 10th Street with odd numbered addresses shall be permitted to use water in the above manner on each Friday.
- b. Users located south of 10th Street with odd numbered addresses shall be permitted to use water in the above manner on each Wednesday.
- c. Users located north of 10th Street with even numbered addresses shall be permitted to use water in the above manner on each Thursday.
- d. Users located south of 10th Street with even numbered addresses shall be permitted to use water in the above manner on each Tuesday.
- e. Watering in the above manner shall be prohibited between the hours of 10 a.m. and 6 p.m.

(4) All watering of grass, trees, plants or other vegetation at all parks and public buildings owned by the City of Alamogordo which are watered using treated water shall be prohibited. Areas watered with effluent or well water are exempt from these restrictions.

(5) No water shall be used to wash any vehicle (including fund raising car washes at commercial businesses), except at places of business where autos are washed on every business day either with attendants, with automatic equipment or by self service. The hours of operation of such businesses shall be limited to ten (10) hours per day.

(6) No swimming pools will be filled and no water shall be added to any swimming pool.

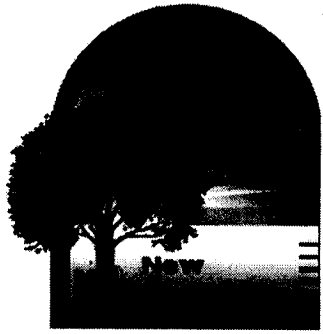
(7) It shall be the policy of the City of Alamogordo to keep Stage 3 in effect for no longer than absolutely necessary. The city manager and the city commission shall take steps to lift the Stage 3 restrictions as soon as lifting the restrictions will not endanger the water supply by reducing amounts of water in storage.

2. No person shall be convicted of violating this section unless such person in fact turned on water, directed the turning on of water, or kept water turned on after learning it was turned on in violation of this section, or failed to turn off automatic devices capable of turning on water in violation of this section. It will not be necessary, however, to present a witness who saw the accused turning on the water, if circumstances indicate the accused did turn on the water.

3. The city manager will make written reports to the city commission at every regular city commission meeting (including emergency sessions called under this section) while water rationing is in effect. The city manager will make weekly written reports to the city commission while Stage 3 water rationing is in effect.

4. Any person, firm, or corporation violating any provision of this section shall be fined not more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues in accordance with the general violation provisions of the Code of Ordinances.

(Ord. No. 919, 7-26-94; Ord. No. 948, § 3, 6-13-95; Ord. No. 1008, 4-8-97)



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