

City of Newburgh, NY  
Friday, April 1, 2016

## Chapter 293. Water

### Article VI. Water Conservation Measures

#### § 293-30. Stage I water emergency.

If the water level at Washington Lake Reservoir, as measured at the gatehouse, falls below a total capacity of 63% or 20 feet, the Superintendent may declare a Stage I water emergency if, in his opinion, such a declaration is necessary to protect the water supply of the City. During a Stage I water emergency, the following uses of City-supplied water shall be prohibited:

- A. The serving of water at a food service establishment, except at the specific request of a patron.
- B. The use of water for washing of paved surfaces, including but not limited to streets, roads, sidewalks, driveways, garages, parking areas, tennis courts and patios.
- C. The use of water for nonagricultural irrigation and watering of lawns, flower gardens, landscaped areas, trees, shrubs or other outdoor plants.
- D. The use of water for ornamental purposes, including but not limited to fountains, artificial waterfalls and reflecting pools.
- E. The use of water for noncommercial washing or cleaning of automobiles, trucks, trailers or any other vehicle.
- F. The use of water from a fire hydrant, except for fire-fighting or public health protection.
- G. The use of water for flushing of sewers or hydrants, except as deemed necessary for public health and safety.
- H. The use of water for watering or sprinkling any portion of a golf course, except for greens.

#### § 293-31. Stage II water emergency.

If the water level at Washington Lake Reservoir, as measured at the gatehouse, falls below a total capacity of 55% or 18 feet, the Superintendent may declare a Stage II water emergency if such a declaration is, in his opinion, necessary to protect the water supply of the City. During a Stage II water emergency, the following uses of City water shall be prohibited:

- A. The use of water as set forth in § 293-30.
- B. The use of water or steam for the cleaning of buildings or any other structures' exteriors.
- C. The use of water for the operation of ice-skating rinks.
- D. The use of water for the commercial washing or cleaning of automobiles, trucks, trailers or any other

vehicle by facilities which do not recycle water.

- E. The use of water for the filling or the operation of a swimming pool, partly artificial swimming pool, bathing beach or any swimming facility under permit pursuant to Part 6 of the New York State Sanitary Code, which is not open to the general public.

## § 293-32. Stage III water emergency.

If the water level at Washington Lake Reservoir, as measured at the gatehouse, falls below a total capacity of 47% or 16 feet, the Superintendent may declare a Stage III water emergency if such a declaration is, in his opinion, necessary to protect the water supply of the City. During a Stage III water emergency, the following uses of City water shall be prohibited:

- A. The use of water as set forth in §§ 293-30 and 293-31.
- B. The use of water in a residence in excess of 50 gallons per resident per day.
- C. The use of water in a commercial or industrial facility in excess of 75% of said user's average daily consumption for the immediately preceding 12 months. When the immediately preceding 12 months' daily average consumption for said water is not available, the average daily water consumption of said user for the 90 days immediately preceding the declaration of Stage II emergency shall be used.
- D. The use of water for residential agricultural purposes and golf course greens.
- E. The use of water for the filling or operation of a swimming pool, partly artificial swimming pool, bathing beach or any swimming facility under permit pursuant to Part 6 of the New York State Sanitary Code. This prohibition shall include but not be limited to the use of water for the filling or the operation of any swimming facility under the control of any governmental subdivision.

## § 293-33. Penalties for offenses.

[Amended 9-28-1998 by Ord. No. 12-98]

- A. Any person who shall violate any of the provisions of this chapter or fail to comply therewith or who shall violate or fail to comply with any order made thereunder shall be punished as provided in § 1-12 for violation of this chapter of the Code of Ordinances of the City of Newburgh.
- B. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects. Each day that prohibited conditions exist shall constitute a separate offense.
- C. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.