

CHAPTER 130
OF THE
CODE OF THE TOWN OF THURMONT
ENTITLED “WATER”

Section 130-1. Right to curtail or regulate use.

The Board of Commissioners of Thurmont is hereby authorized and empowered, whenever in its judgment it shall deem it necessary to provide for the adequate supply of safe water to preserve the public’s health, safety, and welfare, to suspend, curtail and regulate the use of water from the municipal water system of the town.

Section 130-2. Regulation accomplished by staged responses.

Such regulation shall be accomplished by the following staged responses based on the average water levels of the town’s wells as stated in the Thurmont Water Shortage Policy on file with the Water Superintendent:

Stage 1

Normal Conditions - Green

- Mayor/Board of Commissioners implements a Public Awareness campaign to provide citizens with education on water conservation.
- The Town maintains accurate water production and consumption records
- The Town determines unaccounted water loss and implements reduction programs.
- The Town develops and implements meter installation, replacement and calibration programs.
- Homeowners install water conservation fixtures during new construction and building rehabilitation per the current Frederick County Building Code.
- Homeowners repair leaks and drips and practice conservation techniques.
- The Town businesses and industry work together to develop and implement water conservation measures.
- Business and industry develop and submit to the Town their water conservation plan.

Stage 2
Watch - Yellow

- The Town Clerk-Treasurer, based on a determination by the Water Superintendent, notifies the Mayor and Board of Commissioners of upcoming declaration of "Drought Watch" 48 hours before public notification.
- The Town Clerk Treasurer declares a municipal "Drought Watch" and advises the public thereof. Frequent drought updates are issued via local media outlets and the Town web site.
- Drought Hotline activated
- Drought conditions are evaluated on a weekly basis.
- The Town activates water conservation plan for public buildings and operations.
- The Town aggressively pursues leak detection surveys and repair programs.
- Water usage reduced for main flushing and street flushing.
- Businesses and industries are directed to activate water emergency plans for 10% reductions.
- Residences, businesses, and industries directed to comply with water use restrictions (see Chart 1.).

Stage 3
Warning
Code – Orange (In addition to Stage 2 responses)

- Town Clerk-Treasurer, based on a determination by the Water Superintendent, notifies the Mayor and Board of Commissioners of the intent to declare a "Drought Warning" 48 hours before public notification.
- Town Clerk-Treasurer declares and advises the public of a "Drought Warning".
- Drought conditions are evaluated on a daily basis.
- Residences, businesses, and industries directed to comply with water use restrictions (see Chart 1.).
- Town Clerk-Treasurer works with local media outlets to issue periodic notification of drought measures and to increase public awareness of water conservation.

- The Town Web site is updated weekly.
- All businesses, commercial and industrial water users must comply with water conservation plans to reduce water usage by 20%. Due consideration will be given to changes in the operation of the water user (reduction to be based on previous year's quarterly usage).
- Non-essential water system projects that involve flushing of water lines, fire hydrants and distribution equipment are discontinued.
- Limit use of air conditioning equipment that uses water for cooling. These businesses/industries must have water conservation plans in place.
- No new building permits, zoning certificates, or occupancy permits likely to result in increased water use will be approved. Permit or certificate denials may be appealed to the Board of Appeals by filing a written request with the Clerk-Treasurer (P.O. Box 17, 10 Frederick Road, Thurmont, Maryland 21788) within five (5) days of the date of denial.

Stage 4

Emergency

Code – Red (In addition to Stage 3 responses)

- Town Clerk-Treasurer, based on a determination by the Water Superintendent, notifies the Mayor and Board of Commissioners of the intent to declare a “Drought Emergency” 24 hours before public notification.
- Town Clerk-Treasurer declares a “Drought Emergency”.
- Town Clerk-Treasurer notifies the Maryland Department of the Environment (MDE) or other appropriate government agencies of Drought Emergency Status.
- Drought conditions evaluated daily.
- Town Clerk-Treasurer works with local media outlets to issue daily drought updates to public.
- Drought Hotline continues to be available to the Public.
- Continue conservation as needed and implement new temporary water sources as available.
- Town web site updated as needed.
- No new building permits, zoning certificates, or occupancy permits likely to result in increased water use will be approved. Permit or certificate denials may be appealed to the Board of Appeals by filing a written request with the Clerk-Treasurer (P.O. Box 17, 10 Frederick Road, Thurmont, Maryland 21788) within five (5) days of the date of denial.

- No new town projects initiated that would result in the loss of water.
- Residences, businesses and industries must comply with Chart 1 water use restrictions - Stage 4 Emergency.
- All businesses, commercial and industrial water users must comply with water conservation plans to reduce their quarterly water use by more than 20% or a percentage as directed by the Board of Commissioners. Due consideration will be given to changes in the operation of the water user_(reduction to be based on previous year's quarterly usage).
- Town evaluates the need to reduce businesses and industries hours of operation and level of activity.

Section 130-3. Determination of staged responses

- A. The Water Superintendent applying the well level criteria stated in the Thurmont Water Shortage Policy as well as other pertinent information available to him, will arrive at a determination of the appropriate staged response. The Water Superintendent will document each such determination and promptly advise the Clerk-Treasurer.

Section 130-4. Exceptions.

- A. The Board of Commissioners of Thurmont reserves the right to dictate more drastic responses or action than anticipated in this ordinance should an emergency situation develop.
- B. Notwithstanding the required responses in Stage 3 and 4, the Commissioners may grant exceptions/waivers for the issuance of building permits, zoning certificates, and occupancy permits in return for new sources of municipal water upon terms and conditions satisfactory to the Commissioners. The Board of Commissioners can take discretionary action regarding the declaration of a stage with the implementation of a new municipal water source.

Section 130-5. Violations and penalties.

- A. The violation of this chapter is declared to be a municipal infraction. The penalty for violation shall be as follows:

First Offense	\$250.00
Second Offense	\$500.00
Subsequent Offenses	\$500.00 Each

Introduced: January 14, 2003

Passed: January 21, 2003