

J. Water Conservation / Drought Response

§ 180-34.53. Purpose

The purpose of this Article is to provide for the voluntary and mandatory restriction on the nonessential use of ground water during declared water shortages or water emergencies.

§ 180-34.54. Scope

This Article shall apply to all Clarke County residents and businesses which are served by well water. This Article shall not apply to those residents and businesses which are supplied by a public water supply system by the Town of Berryville or the Clarke County Sanitary Authority.

§ 180-34.55. Drought Response Plan

The Board of Supervisors (Board) shall adopt by resolution the Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan.

§ 180-34.56. Drought Indicators

The indicators used to indicate drought severity shall be precipitation, streamflow, and groundwater levels. When at least two indicators exceed the threshold for drought stage determination, as set forth in Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan, the Board may declare a specific drought stage.

§ 180-34.57. Drought Stages

The drought stages shall be:

- Drought Watch,
- Drought Warning, and
- Drought Emergency,

as determined by the Board pursuant to the Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan.

§ 180-34.58. Declaration

Upon the Board finding that a drought stage exists, the Board may issue a declaration of a drought stage.

The County Administrator, upon the declaration of a drought stage by the Commonwealth of Virginia, may issue a declaration of a drought stage to be in effect until the next regular Board meeting.

§ 180-34.59. Drought Stage Response

Upon declaration by the Board or the County Administrator of a Drought Watch or Drought Warning, voluntary conservation measures will be requested of residents and businesses as set forth in the Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan.

Upon declaration of a Drought Emergency, mandatory restrictions shall apply as set forth in the Regional Drought Response and Contingency Plan as stated in the Regional Water Supply Plan.

§ 180-34.60. Waiver of Restrictions

Upon prior written request by an individual, business, or other water user, the Board of Supervisors, or its designee, may permit less than full compliance with any drought restrictions if good cause can be shown, including evidence that the applicant is affected in a substantial manner not common to other businesses or persons generally.

No waiver shall be granted by the Board or its designee unless the Board or its designee determines that the public health, safety, and welfare will not be adversely affected by the waiver. All waivers granted by the Board or its designee shall be reported at the Board's next regular or special meeting.

§ 180-34.61. Penalties.

Any person who shall violate any of the provisions of this Article shall, upon conviction thereof, be fined not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00). Each act or each day's continuation of the violation shall be considered a separate offense.

Amendments Chapter 180-Article VIII

2008-05-20

§ 180-34.53 thru § 180-34.61. Water Conservation / Drought Response CC-08-01

2011-09-27

§ 180-34.53 thru § 180-34.61. Water Conservation / Drought Response change title and add reference to the Regional Drought Response and Contingency Plan rather than the local Drought Plan CC-11-04

2023-06-20

§180-34.13 remove “construction or renovation (exceeding \$10,000) of an existing”; change “90 days” to “twelve (12) months” CC2023-01

§180-34.26 add “sanitary collection system and”, “the Treatment Facilities” and “sanitary collection system or” CC2023-01

§180-34.27(a)(6) add “as analyzed by the approved EPA 1664A method or ASTM International Method D7066-04” CC2023-01

§180-34.27(a)(7) add language to clarify definition of floatable oils, fats, and grease CC2023-01

Add §180-34.27(c) CC2023-01

§180-34.34(b)(3) change “reliable” to “accredited” CC2023-01

§180-34.46 add “shutting off of water service or” CC2023-01