

ARTICLE V

MANDATORY WATER CONSERVATION MEASURES

5.1.0 - Declaration Of Policy

It is hereby declared to be the health policy of the Rockland Health District to assure that water is available to the citizens of Rockland County under the conditions of below average precipitation. This Article applies to all residents and businesses within the Rockland Health District without distinction as to the source of water.

5.2.0 – Definitions

Whenever used in this Article, unless otherwise expressly stated or unless the context or subject matter requires a different meaning, the following terms shall have the respective meanings hereinafter set forth or indicated:

5.2.1 **Agricultural**

The term “**agricultural**” means commercial growing of food.

5.2.2 **Hand watering**

The term “**hand watering**” means use of a bucket, watering can or hand-held hose with a self-closing spray nozzle.

5.2.3 **Low flow irrigation system**

The term “**low flow irrigation system**” means a soaker hose or drip irrigation system.

5.2.3.1 Soaker hoses or drip irrigation lines must deliver less than 1½gallons per minute per 100 feet.

5.2.3.2 Drip irrigation systems must deliver less than 0.6 gallons per hour per dripper head.

5.2.4 **Nursery facilities**

The term “**nursery facilities**” means commercial facilities that maintain plants, trees, shrubs or grasses for the purpose of sale or resale.

5.2.5 **Recycled water**

The term “**recycled water**” means that a minimum of 50% of the water used in a given process is collected and recirculated.

5.2.6 **Mulched Gardens**

The term “**mulched garden**” means that either natural organic materials (e.g., wood chips, bark, pine needles, etc.) or synthetic materials (e.g., landscaping fabric) are used to limit the evaporation of water from surficial soils. Stones, gravel or rocks, etc. do not constitute mulch, although they may be used to hold landscaping fabric in place.

5.2.7 **Industrial or Commercial Water Users**

The term “**Industrial or Commercial Water User**” means a public or private non-residential facility that uses more than 1000 gallons of water per day on a monthly average basis.

5.2.8 **Water Conservation Plan**

The term “**water conservation plan**” means a plan to reduce consumption by 10%, 20%, 25% and 30% on a monthly average basis relative to the average use for any given month. All industrial and commercial water users must prepare such a plan in a form and format established by the Rockland County Department of Health and submit same to the Rockland County Department of Health within 30 calendar days following the effective date of this revision. For the purposes of this Article, the average monthly water use for the last five (5) calendar years will be the minimum basis for the determination by each facility of its percent reduction in water use. All industrial and commercial water users must meter and maintain records of the quantity of water used on a monthly basis to demonstrate the efficacy of the water conservation measures. Water use records must be available for inspection upon request by any appropriate county or local municipal officer.

5.3.0 - Stage I Water Emergency (Drought Watch)

5.3.1 In the event that any one of the following items occurs, the Commissioner of Health may declare a Stage I Water Emergency.

5.3.1.1 The precipitation within the Rockland County Health District for the immediately preceding two (2) calendar months is 40% below the twenty year average for the same period as taken from the rain gauge at Lake DeForest Reservoir, as set forth in the Interim Report, Rockland County Water Supply Study, dated January 1981, of the New York State Department of Environmental Conservation, or revisions thereto.

5.3.1.2 The total capacity of water available for augmentation of base flow in the Ramapo River falls under the Stage 1 Curve as set forth in the attached Schedule 2.

5.3.1.3 It is the opinion of the Commissioner of Health that such a declaration is necessary to protect the public health and safety. In making this decision, the Commissioner of Health shall take into consideration the following criteria: ability to maintain adequate pressure in the distribution system, water resources available and ability to meet instantaneous peak demand.

- 5.3.2 During a Stage I Water Emergency, as declared by the Commissioner of Health, the following uses of water shall be prohibited:
- 5.3.2.1 Serving of water at a food service establishment except at the specific request of a patron.
 - 5.3.2.2 The use of non-recycled water for ornamental purposes including but not limited to fountains, artificial waterfalls and reflecting pools.
 - 5.3.2.3 The use of water for flushing of sewers or hydrants except as deemed necessary for public health and safety.
 - 5.3.2.4 The use of water for the non-agricultural irrigation, watering or sprinkling of any lawn, flower garden, vegetable garden, or landscaped area (e.g., trees, shrubs or other outdoor plants) except either between the hours of 12 midnight and 6 a.m. for automatic irrigation systems or between the hours of 4 p.m. and 10 p.m. for hand watering or manually operated irrigation systems as set forth herein.
 - 5.3.2.4.1 Lawn and/or garden irrigation, sprinkling or watering shall be permitted on the odd days of the month at premises that have odd numbered street addresses.
 - 5.3.2.4.2 Lawn and/or garden irrigation, sprinkling or watering shall be permitted on the even days of the month at premises that have even numbered street addresses.
 - 5.3.2.4.3 For the purposes of the provisions of these subparagraphs, a property without a numbered street address shall be considered to have an even numbered street address.
 - 5.3.2.4.4 For the purposes of the provisions of these subparagraphs, premises with multiple house numbers (including both odd and even numbers) shall be considered to have an even numbered street address.
 - 5.3.2.4.5 Irrigation, watering or sprinkling will be prohibited if there has been 1/8 of an inch or more of precipitation within the previous 24 hours. All automatic irrigation systems shall be equipped with a rain sensor that does not allow operation if such precipitation has occurred within the stated timeframe.
 - 5.3.2.5 The exportation of bulk water from any source within the boundaries of Rockland County to a location outside the boundaries of Rockland County shall be prohibited.
 - 5.3.2.6 All water leaks shall be repaired within 48 hours of detection.

- 5.3.3 Within 30 days of the declaration of a Stage I Water Emergency, all commercial and industrial water users shall submit to the Rockland County Department of Health an updated water conservation plan as described in Paragraph 5.2.8.

5.4.0 - Stage II Water Emergency (Drought Alert)

- 5.4.1 In the event that any one of the following items occurs, the Commissioner of Health may declare a Stage II Water Emergency.
 - 5.4.1.1 The precipitation within the Rockland County Health District for the immediately preceding three (3) calendar months is 40% below the twenty year average for the same period as taken from the rain gauge at Lake DeForest Reservoir, as set forth in the Interim Report, Rockland County Water Supply Study, dated January 1981, of the New York State Department of Environmental Conservation, or revisions thereto.
 - 5.4.1.2 The water level of Lake DeForest falls under the Curve A, as set forth in the attached Schedule I, for one (1) month.
 - 5.4.1.3 The total capacity of water available for augmentation of base flow in the Ramapo River falls under the Stage 2 Curve as set forth in the attached Schedule 2.
 - 5.4.1.4 It is the opinion of the Commissioner of Health that such a declaration is necessary to protect the public health and safety. In making this decision, the Commissioner of Health shall take into consideration the following criteria: ability to maintain adequate pressure in the distribution system, water resources available and ability to meet instantaneous peak demand.
- 5.4.2 During a Stage II Water Emergency, as declared by the Commissioner of Health, the following uses of water shall be prohibited:
 - 5.4.2.1 The use of water as set forth in Paragraph 5.3.0 of this Article.
 - 5.4.2.2 The use of water for the non-agricultural irrigation, watering or sprinkling of any lawn, flower garden, vegetable garden, or landscaped area (e.g., trees, shrubs or other outdoor plants) except for watering on odd/even days as set forth in Paragraphs 5.3.2.4.1, 5.3.2.4.2, 5.3.2.4.3 and 5.3.2.4.4 either between the hours of 2 a.m. and 6 a.m. for automatic irrigation systems or between the hours of 5 p.m. and 9 p.m. for hand watering or manually operated irrigation systems.
 - 5.4.2.3 The use of water at nursery facilities for non-agricultural irrigation, watering or sprinkling in excess of 90% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
 - 5.4.2.4 The use of water for watering or sprinkling any portion of a golf course in excess of 90% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's

water conservation plan. In addition, all water use shall occur between the hours of 9 p.m. and 6 a.m. except for hand watering of greens.

- 5.4.2.5 The use of water for washing of non-public paved surfaces including but not limited to sidewalks, driveways, garages, parking area and patios.
- 5.4.2.6 The use of water for non-commercial washing or cleaning of automobiles, trucks, trailers, boats or any other vehicles, except for emergency vehicles or where required by law.
- 5.4.2.7 The use of water for commercial washing or cleaning of automobiles, trucks, trailers, boats or any other vehicles in excess of 90% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
- 5.4.2.8 All commercial and industrial water use in excess of 90% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.

5.5.0 - Stage III Water Emergency (Drought Warning)

- 5.5.1 In the event that any one of the following items occurs, the Commissioner of Health may declare a Stage III Water Emergency.
 - 5.5.1.1 The precipitation within the Rockland County Health District for the immediately preceding four (4) calendar months is 40% below the twenty year average for the same period as taken from the rain gauge at Lake DeForest Reservoir, as set forth in the Interim Report, Rockland County Water Supply Study, dated January 1981, of the New York State Department of Environmental Conservation, or revisions thereto.
 - 5.5.1.2 The water level of Lake DeForest falls under the Curve A, as set forth in the attached Schedule I, for two (2) months.
 - 5.5.1.3 The total capacity of water available for augmentation of base flow in the Ramapo River falls under the Stage 3 Curve as set forth in the attached Schedule 2.
 - 5.5.1.4 It is the opinion of the Commissioner of Health that such a declaration is necessary to protect the public health and safety. In making this decision, the Commissioner of Health shall take into consideration the following criteria: ability to maintain adequate pressure in the distribution system, water resources available and ability to meet instantaneous peak demand.
- 5.5.2 During a Stage III Water Emergency, as declared by the Commissioner of Health, the following uses of water shall be prohibited:

- 5.5.2.1 The use of water as set forth in Paragraph 5.3.0 and Paragraph 5.4.0 of this Article.
- 5.5.2.2 The use of water for washing of paved surfaces including, but not limited to streets, roads, and tennis courts.
- 5.5.2.3 The use of water for watering or sprinkling any portion of a golf course in excess of 80% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan. In addition, all use shall occur between the hours of 9 p.m. and 6 a.m. except for hand watering of greens.
- 5.5.2.4 The use of water at nursery facilities for non-agricultural irrigation, watering or sprinkling in excess of 80% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
- 5.5.2.5 The use of water at public athletic fields for non-agricultural irrigation, watering or sprinkling except for daily between the hours of 4 a.m. and 6 a.m.
- 5.5.2.6 The use of water for non-agricultural irrigation, watering or sprinkling of lawns.
- 5.5.2.7 The use of water for non-agricultural irrigation, watering or sprinkling of flower gardens, vegetable gardens, or landscaped areas (trees, shrubs or other outdoor plants) except for watering mulched areas on odd/even days as set forth in Paragraphs 5.3.2.4.1, 5.3.2.4.2, 5.3.2.4.3 and 5.3.2.4 either using automatic low-flow irrigation systems between the hours of 2 a.m. and 6 a.m. or using manually operated low-flow irrigation systems or hand watering between the hours of 5 p.m. and 9 p.m.
- 5.5.2.8 The use of non-recycled water for commercial washing or cleaning of automobiles, trucks, trailers, boats or any other vehicles, except for emergency vehicles or as required by law.
- 5.5.2.9 The use of water for commercial washing or cleaning of automobiles, trucks, trailers, boats or any other vehicles by commercial facilities that recycle water pursuant to Paragraph 5.2.5, in excess of 80% of the facility's average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
- 5.5.2.10 The non-commercial use of water or steam for the cleaning of buildings or any other structure's exterior including decks.
- 5.5.2.11 The commercial use of water or steam for the cleaning of buildings or any other structure's exterior including decks in excess of 80% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.

- 5.5.2.12 The use of water for watering or sprinkling of tennis courts to maintain their integrity, except for daily between 8 p.m. and 9 p.m.
- 5.5.2.13 All commercial and industrial water use in excess of 80% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
- 5.5.2.14 Use of water for filling or operation of any recreational swimming or bathing facility not under permit with the Rockland County Department of Health, including but not limited to: swimming pools, wading pools, and outdoor spas, unless they have been certified by a licensed swimming pool professional to have an operational leakage rate of less than or equal to 2 gallons per day. Owners of above-ground pools where all plumbing is visible may self-certify that their pool is free of leaks. Any such facility not so certified must be emptied or covered or otherwise closed in a manner approved by the Rockland County Department of Health to prevent swimming or bathing.
- 5.5.2.15 The use of water for refilling a recreational swimming or bathing facility not under permit with the Rockland County Department of Health, including but not limited to: swimming pools, wading pools, and outdoor spas in excess of once per calendar year after such a facility has been drained or partially drained for repairs. Furthermore, refilling is allowed only if draining is necessary for repairs required to preserve the structural integrity of the pool and/or its supporting infrastructure. Every effort shall be made to reuse the water. The Rockland County Department of Health, local police, fire and public works departments shall be notified prior to draining the pool.

5.6.0 - Stage IV Water Emergency (Drought Emergency)

- 5.6.1 In the event that any one of the following items occurs, the Commissioner of Health may declare a Stage IV Water Emergency.
 - 5.6.1.1 The precipitation within the Rockland County Health District for the immediately preceding six (6) calendar months is 40% below the twenty year average for the same period as taken from the rain gauge at Lake DeForest Reservoir, as set forth in the Interim Report, Rockland County Water Supply Study, dated January 1981, of the New York State Department of Environmental Conservation, or revisions thereto.
 - 5.6.1.2 The water level of Lake DeForest falls under the Curve A, as set forth in the attached Schedule I, for four (4) months.
 - 5.6.1.3 It is the opinion of the Commissioner of Health that such a declaration is necessary to protect the public health and safety. In making this decision, the Commissioner of Health shall take into consideration the following criteria: ability to maintain adequate pressure in the distribution system, water resources available and ability to meet instantaneous peak demand.

- 5.6.2 During a Stage IV Water Emergency, as declared by the Commissioner of Health, the following uses of water shall be prohibited:
- 5.6.2.1 The use of water as set forth in Paragraphs 5.3.0, 5.4.0, and 5.5.0 of this Article.
 - 5.6.2.2 The commercial use of water or steam for the cleaning of buildings or any other structure's exterior including decks in excess of 75% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
 - 5.6.2.3 The use of water for commercial washing or cleaning of automobiles, trucks, trailers, boats or any other vehicles by commercial facilities that recycle water pursuant to Paragraph 5.2.5, in excess of 75% of the facility's average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
 - 5.6.2.4 The use of water for the filling or operation of any recreational swimming or bathing facility not under permit with the Rockland County Department of Health, including but not limited to: swimming pools, wading pools, and outdoor spas, if a Stage 4 water emergency is declared prior to July 1 during any calendar year. Such facilities must be emptied or covered or otherwise closed in a manner approved by the Rockland County Department of Health to prevent swimming or bathing.
 - 5.6.2.5 The use of water for the filling of or replenishment of spillage or evaporation from any recreational swimming or bathing facility not under permit with the Rockland County Department of Health, including but not limited to: swimming pools, wading pools, and outdoor spas, if a Stage 4 water emergency is declared on or after July 1 during any calendar year.
 - 5.6.2.6 The use of water for non-agricultural irrigation, watering or sprinkling of flower gardens, vegetable gardens, or landscaped areas (trees, shrubs or other outdoor plants) except for watering mulched areas on odd/even days as set forth in Paragraphs 5.3.2.4.1, 5.3.2.4.2, 5.3.2.4.3 and 5.3.2.4 either using automatic low-flow irrigation systems between the hours of 4 a.m. and 6 a.m. or using manually operated low-flow irrigation systems or hand watering between the hours of 7 p.m. and 9 p.m.
 - 5.6.2.7 The use of water for watering or sprinkling any portion of a golf course in excess of 75% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan. In addition, all use shall occur between the hours of 9 p.m. and 6 a.m. except for hand watering of greens.
 - 5.6.2.8 The use of water for watering or sprinkling at nursery facilities in excess of 75% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.

- 5.6.2.9 The use of water for watering or sprinkling public athletic fields.
- 5.6.2.10 The use of water from any stream, creek or other surface water supplies.
- 5.6.2.11 The use of water for non-recycled water-cooled air-conditioning units and heat pumps, except during such times as specifically authorized by the Commissioner of Health in writing.
- 5.6.2.12 The use of water for ornamental purposes including but not limited to fountains, artificial waterfalls and reflecting pools.
- 5.6.2.13 The use of water for the filling of or replenishment of evaporation or leakage from fish ponds. Additionally, the use of artificial waterfalls, fountains or any other device that enhances evaporation in fish ponds shall be prohibited.
- 5.6.2.14 The use of water for watering or sprinkling any tennis court.
- 5.6.2.15 All commercial and industrial water use in excess of 75% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
- 5.6.2.16 Use of water for filling or operation of any recreational swimming or bathing facility under permit with the Rockland County Department of Health, unless they have been certified by a licensed swimming pool professional to have an operational leakage rate of less than or equal to 20 gallons per day. Any such facility not so certified must be emptied or covered or otherwise closed in a manner approved by the Rockland County Department of Health to prevent swimming or bathing.
- 5.6.2.17 The use of water for the filling or operation of any recreational swimming or bathing facility under permit with the Rockland County Department of Health that does not recirculate the pool water. Such facilities must be emptied or covered or otherwise closed in a manner approved by the Rockland County Department of Health to prevent swimming or bathing.

5.7.0 - Stage V Water Emergency (Severe Drought Emergency)

- 5.7.1 In the event that any one of the following items occurs, the Commissioner of Health may declare a Stage V Water Emergency.
 - 5.7.1.1 The precipitation within the Rockland County Health District for the immediately preceding twelve (12) calendar months is 35% below the twenty year average for the same period as taken from the rain gauge at Lake DeForest Reservoir, as set forth in the Interim Report, Rockland County Water Supply Study, dated January 1981, of the New York State Department of Environmental Conservation, or revisions thereto.

- 5.7.1.2 The water level of Lake DeForest falls under the Curve A, as set forth in the attached Schedule I, for nine (9) months.
- 5.7.1.3 It is the opinion of the Commissioner of Health that such a declaration is necessary to protect the public health and safety. In making this decision, the Commissioner of Health shall take into consideration the following criteria: ability to maintain adequate pressure in the distribution system, water resources available and ability to meet instantaneous peak demand.
- 5.7.2 During a Stage V Water Emergency, as declared by the Commissioner of Health, the following uses of water shall be prohibited:
 - 5.7.2.1 The use of water as set forth in Paragraphs 5.3.0, 5.4.0, 5.5.0, and 5.6.0 of this Article.
 - 5.7.2.2 The use of water in a residence in excess of 50 gallons per resident per day on a weekly average basis, or use in excess of 70% of the average winter usage, whichever produces the larger savings of water.
 - 5.7.2.3 The use of water for agricultural purposes in excess of the average daily consumption for the preceding twelve calendar months. When the daily average consumption for the previous twelve months is not available, the average daily water consumption of the user for the 90 days immediately preceding declaration of a Stage V emergency shall be used.
 - 5.7.2.4 The use of water for the filling or the operation of any recreational swimming or bathing facility, including but not limited to: swimming pools, wading pools, and outdoor spas. Such facilities must be emptied or covered or otherwise closed in a manner approved by the Rockland County Department of Health to prevent swimming or bathing.
 - 5.7.2.5 The use of water for the operation of ice skating rinks.
 - 5.7.2.6 All commercial and industrial water use in excess of 70% of the average monthly use (as defined in the user's water conservation plan), and the use of water in contravention of the user's water conservation plan.
 - 5.7.2.7 The use of water for watering or sprinkling any portion of a golf course except for hand watering of greens once per day.
 - 5.7.2.8 The use of water for watering or sprinkling at nursery facilities in excess of 2 hours per day by hand.
 - 5.7.2.9 The use of water for non-agricultural irrigation, watering or sprinkling of flower gardens, vegetable gardens, or landscaped areas (e.g., trees, shrubs or other outdoor plants).
 - 5.7.2.10 The use of recycled water for the commercial washing or cleaning of automobiles, trucks, trailers, boats or any other vehicle.

5.7.2.11 The use of water or steam for the cleaning of buildings or any other structure's exterior including decks.

5.7.2.12 The use of water for the operation of non-essential water treatment processes, including but not limited to water softeners and reverse osmosis units in applications where the untreated water is potable.

5.8.0 - Reporting On Water Status

5.8.1 In the event the Commissioner of Health declares a Stage I, Stage II, Stage III, Stage IV or Stage V Water Emergency as set forth herein, the community water supplies within the Rockland County Health District which serve in excess of 2000 people shall daily report to the Commissioner of Health their daily water production, the status of their water resources and any operational difficulty impairing the community water supply's water production capabilities and such other information as is required by the Commissioner of Health.

5.8.2 Notwithstanding any other provision of this Article to the contrary, a community water supplier within the Rockland County Health District which serves in excess of 2000 people, shall monthly report to the Commissioner of Health its water production, the status of its water resources, rain gauge measurements, and any operational difficulties impairing the community water supplier's water production capabilities and such other information as is requested by the Commissioner of Health.

5.9.0 – Approval For New Water Resources During Emergency

In the event the Commissioner of Health declares a Stage III, IV or V Water Emergency as set forth herein, no new water supply resource or facility may be constructed or developed without written approval from the New York State Department of Environmental Conservation or the written approval of the Commissioner of Health. This prohibition shall include but not be limited to the impoundment of any stream, creek, reservoir or other surface body of water, the creation or development of any water reservoir and the construction of any well.

5.10.0 - Variance

5.10.1 The Commissioner of Health may, upon receipt of a written application and a fee as prescribed by the Commissioner of Health, or upon his/her own initiative, grant a variance from any of the prohibitions of the use of water as prescribed herein when, in the Commissioner's opinion, such a variance would be in the general public interest and would not unnecessarily endanger the public health and safety.

5.10.2 The commissioner shall consider the following to determine whether a variance for water use shall be granted:

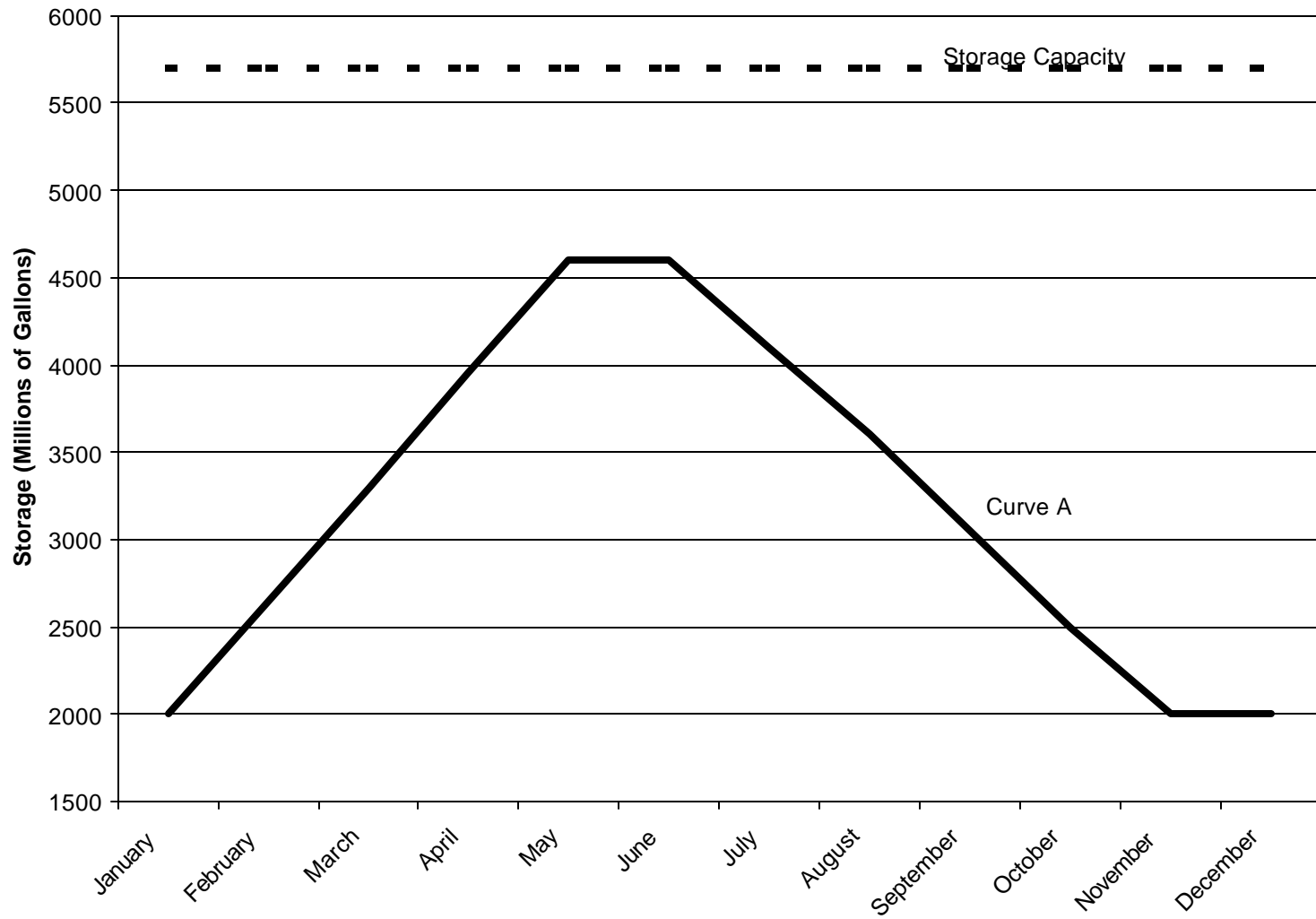
5.10.2.1 Source of the water to be used

- 5.10.2.2 Quality of the water to be used
 - 5.10.2.3 Status of Rockland County's available water supply
 - 5.10.2.4 Protection of Rockland's existing potable water supply
 - 5.10.2.5 Time period over which the variance would be in effect
 - 5.10.2.6 Potential need to terminate the variance prior to its expiration.
- 5.10.3 The approved variance notice must be posted conspicuously in public view.

5.11.0 – Effective Date*

The effective date of this revision is May 22, 2002.

**Schedule 1
Drought Rule Curve
Lake Deforest Reservoir**



Schedule 2 Drought Rule Curve UWNY Ramapo Well Field

