

ADOPTED

JUL 23 2002

ORDINANCE NO. 116A-33

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY ADDING ARTICLE VII, OUTDOOR WATERING, SECTION 11-65, RESTRICTIONS ON OUTDOOR WATER USE; AND SECTION 11-66, VIOLATIONS OF ARTICLE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 11, Health and Sanitation, is hereby amended and reordained by adding Article VII, Outdoor Water Use, Section 11-65, Restrictions on outdoor water use; and Section 11-66, Violations of article.

Chapter 11. Health and Sanitation

Article VII. Outdoor Watering Use

**Sec. 11-65. Restrictions on Outdoor Watering Use**

In order to protect the public health, safety and welfare and insure the integrity of the James City Service Authority water system, ~~use of the James City Service Authority water for outdoor watering~~ during the period beginning May 1 and ending September 30 of each year, outdoor use of James City Service Authority water is prohibited, except that properties with even-numbered street addresses can ~~perform use~~ ~~water~~ outdoors ~~watering~~ on Tuesdays, Thursdays and Saturdays and properties with odd-numbered street addresses can ~~perform use water~~ outdoors ~~watering~~ on Wednesdays, Fridays and Sundays provided that ~~no watering shall occur~~ ~~outdoor water use occurs~~ between the hours of ~~midnight and~~ 8:00 a.m. and 5:00 p.m. ~~and midnight~~. No outdoor watering ~~use~~ shall occur on Mondays ~~except as provided below in subparagraph (d)~~. For the purpose of this section, the last whole number of a property address shall be used to determine

whether the property address is odd or even. *All street addresses on a lot or parcel which has one or more structures with both odd and even street addresses shall be deemed to be even, regardless of such units actual street address.* Open or common areas shall be deemed to have an odd street address regardless of whether such areas have a designated street address. Open or common areas shall consist of land in a multi-lot development, either commercial or residential, which is owned by a corporation or association for the beneficial use of the owners or tenants of land in the development. Outdoor watering *use* shall include, but is not limited to, the following:

(a) The watering of shrubbery, trees, lawns, grass, plants or other vegetation, except that the following shall be exempted from the prohibition on outdoor watering:

- (1) the watering of a new lawn or turf for a period of 60 days after installation provided the owner or tenant of a lot, piece or parcel of real property receives the one-time exception provided herein. In order to be eligible for this one-time exception, the property owner or tenant shall provide prior written notice to the general manager of the James City Service Authority identifying the property address and the date of lawn or turf installation. No notice shall be required for watering a new lawn or turf installed on property that has a certificate of occupancy pending for a structure;
- (2) the watering of plants from a bucket or other container not exceeding three gallons in capacity or;
- (3) the watering of nursery stock or plant material performed by a nursery business on property where it grows, cultivates or sells nursery stock or plants material and has a business license to perform such activities.

(b) The washing of automobiles, trucks, trailers, boat, motor bikes, airplanes or other motor vehicles, except this prohibition on washing vehicles shall not apply to any facilities operating a water recycling system approved by the general manager of the James City Service Authority, provided that such a facility prominently displays for public view a notice stating that such a water recycling system is in operation; and

(c) The washing of streets, driveways, parking lots, sidewalks, service station aprons, the exterior of homes, apartments, office building or commercial establishments, or other outdoor surfaces, except that such activities may be performed by businesses which are regularly engaged in these activities as a service for hire and have a business license to perform such activities.

*(d) Exempt is outdoor water use by means of a hose with an automatic shutoff nozzle which is continuously attended.*

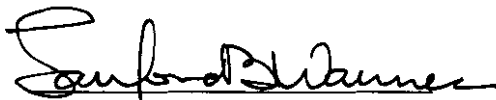
*(e) In the event the County Administrator declares a water shortage, the provisions of this section shall be superceded by Article VI, Drought Management, of Chapter 11, Health and Sanitation.*

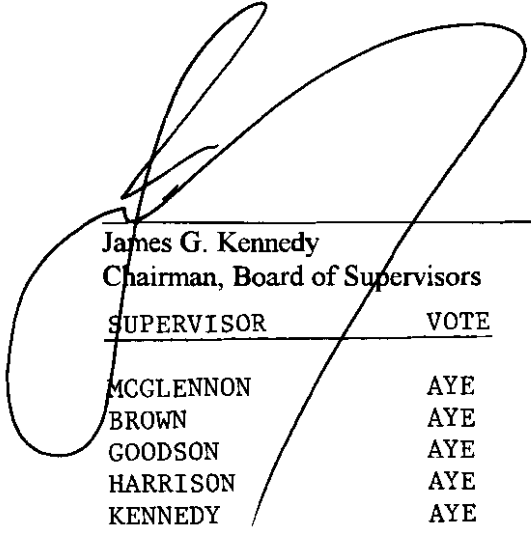
**Sec. 11-66. Violations of article.**

A violation of any provision of this article shall constitute a misdemeanor punishable by a fine of up to \$2,500.00, each day that a violation exists shall constitute a separate offense.

This Ordinance repeals the Emergency Ordinance adopted on June 11, 2002.

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

  
James G. Kennedy  
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCLENNON	AYE
BROWN	AYE
GOODSON	AYE
HARRISON	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of July, 2002.