

## EXHIBIT D

### THE TOWN OF FRYE ISLAND WATERING BAN ORDINANCE

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#### XXX – 1. Title:

This Ordinance shall be known as The Watering Ban Ordinance

#### XXX – 2. Purpose

The Town of Frye Island desires to establish Watering Ban measures to reduce water consumption, to assure reasonable and beneficial use of water, prevent waste and maximize the efficient use of water within the Town of Frye Island.

The Watering Ban shall be initiated *when necessary* by the Town manager and the Director of Public Works

#### XXX – 3. Definitions:

Town refers to The Town of Frye Island

#### XXX – 4. Watering Ban Requirements:

- No watering using Town provided water is allowed EXCEPT between the hours of 10:00 p.m. and 8:00 a.m.
- Water can not be added to any ornamental fountain or pond for aesthetic or scenic purposes EXCEPT between the hours of 10:00 p.m. and 6:00 a.m.
- No increase in the size of water service connections or service lines is permitted at any time.
- Use of Town water from fire hydrants shall be only for fire fighting related activities or other activities necessary to maintain public health, safety and welfare. Use of Town water from designated fire hydrants for construction purposes which may be allowed under a special permit from the Town.

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- The washing down of any walkways, driveways, parking lots, tennis courts or any hard surfaced areas is prohibited.
- Use of Town water for dust control purposes is prohibited EXCEPT between the hours of 10:00 p.m. and 6:00 a.m.
- Permitting Town water to run or accumulate on public or private property at any time is prohibited.
- Failing to repair a controllable water leak within a reasonable period of five (5) business days after having been given notice directing the repair of such leak is prohibited.
- Reclaimed water use, well water use or private lake water use is EXEMPT, as is any use by the Town of Frye Island Public Works Department and the Golf Course Maintenance Division.
- The Frye Island Town Manager and/ or the Director of Public Works can grant variances to the above requirements where it can be demonstrated that a serious hardship would occur as a result of compliance.
- The use of Town water to wash any motor vehicle, golf cart, motor bike, boat, trailer or any other related vehicle is prohibited EXCEPT between the hours of 10:00 p.m. and 6:00 a.m.
- The filling, refilling or adding water to swimming pools, wading pools and Jacuzzi-type pools is prohibited EXCEPT between the hours of 10:00 p.m. and 6:00 a.m.
- The use of Town water to wash down buildings or structures other than for immediate fire protection is prohibited EXCEPT between the hours of 10:00 p.m. and 6:00 a.m.
- The use of Town water for hose watering or any type of irrigation of landscape areas is prohibited EXCEPT between the hours of 10:00 p.m. and 6:00 a.m. for a maximum period of one (1) hour per day on even numbered days.

### **XXX – 5. Violations and Penalties:**

Violations of the Town restrictions are considered misdemeanor crimes. Violators may face fines of \$500.00 per day plus court fees each day that one or more restrictions are violated after receiving written notice of such violation.

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### **XXX – 6. Enforcement:**

**Enforcement and Fines shall be by the Town of Frye Island Police Department, Town of Frye Island Constable, Town of Frye Island CEO or the Cumberland County Sheriff.**