

ORDINANCE NO. 6962-13

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 42, WATER SUPPLY , OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE VI., EMERGENCY WATER CONSERVATION, SECTION 42-97, WATER RATES AND PENALTIES DURING DECLARED WATER SUPPLY EMERGENCIES.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That Chapter 42, Water Supply, of the Code of the City of Newport News, Virginia, Article VI., Emergency Water Conservation, Section 42-97, Water rates and penalties during declared water supply emergencies, be, and the same hereby is, amended and reordained as follows:

**CHAPTER 42**

**WATER SUPPLY**

**ARTICLE VI. EMERGENCY WATER CONSERVATION**

**Sec. 42-97. Water rates and penalties during declared water supply emergencies.**

(a) Effective with meter readings beginning on the first business day following declaration of a water supply emergency under section 49-92, the schedule of rates to be charged for residential, commercial, and industrial use of water shall be as follows:

**Rate Schedule for Water Consumption**

<i>Tier Level</i>	<i>Rate</i>
1 - advisory	Normal rate
2 - mandatory	Normal rate for consumption up to 400 cubic feet per billing cycle; normal rate + 15% for consumption above 400 cubic feet per billing cycle.
3 - severe	Normal rate for consumption up to 400 cubic feet per billing cycle; normal rate + 30% for

consumption above 400 cubic feet per billing cycle.

4 - emergency

Normal rate + 45% for all consumption.

(b) During Tiers 2 and 3, the first four hundred (400) cubic feet of water used per billing cycle shall be exempt from the higher water rates. The higher water rates shall be levied on any usage above four hundred (400) cubic feet.

(c) Penalties. A penalty shall be charged to any customer account and added to the water bill upon the occurrence at the service address of a violation of section 42-91 and any specific water use restrictions imposed during a water supply emergency pursuant to sections 42-94 through 42-96. Penalties for such violations shall be assessed as follows:

<i>Violation</i>	<i>Penalty</i>
First offense	Written warning
Second offense	\$ 50 fine
Third offense	\$100 fine
Fourth offense	\$250 fine and water service suspension

(d) Exemptions. Water customers who are engaged in activities in which water is essential for public health, such as health care facilities (including but not limited to hospitals, minor emergency centers, health care practices, nursing homes, and convalescent centers), will be exempt from the water rates imposed under Tiers 2, 3, and 4, provided that they have satisfactorily completed, submitted, and received approval from the department of public utilities of a water audit which shows they have taken all necessary steps to minimize unnecessary water use both in their processes, and in outdoor use. Likewise, commercial or industrial customers who require water as a major and essential part of their day-to-day operations will be exempt from the higher water rates imposed under Tiers 2, 3, and 4, provided that they have satisfactorily completed, submitted, and received approval from the department of public utilities of a water audit which shows they have taken all necessary steps to minimize unnecessary water use both in their processes, and in outdoor use. Should the water supply situation deteriorate to a Tier 4 emergency, all of the above facilities and customers in this subsection may also be instructed to further reduce water use.

2. That this ordinance shall be in effect on and after July 1, 2013.

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PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON MAY 14, 2013

Mabel Washington Jenkins, MMC  
City Clerk

McKinley L. Price, DDS  
Mayor

A true copy, teste:

City Clerk