

VILLAGE OF EAST TROY

ORDINANCE NO. 2007-11

AN ORDINANCE TO PRESERVE, CONSERVE AND LIMIT WATER USE FOR LAWNS, GRASS, OUTSIDE PLANTS, TREES, SHRUBS AND SIMILAR PLANTS.

The Village Board of the Village of East Troy, Walworth County, Wisconsin does hereby ordain as follows:

1. SECTION 9-3-5, **WATER CONSERVATION**, of TITLE 9 – Public Utilities, Chapter 3 - Miscellaneous Utilities Regulations, is hereby created to prescribe that no person, firm, partnership, corporation, limited liability company, limited liability partnership, or other entity shall water or sprinkle or allow the same on a lawn, grass, trees, garden, shrubs and other outside plants with water from the Village of East Troy, except as provided herein.

SECTION 9-3-5 WATER CONSERVATION

- (a) **Application.** This Ordinance and the provisions herein shall apply to all real property, whether residential, commercial, industrial, agricultural or institutional, located within the boundaries of the Village of East Troy.
- (1) Real property assigned even-numbered mailing addresses shall be permitted to make such use of water on even-numbered calendar days before 6:00 a.m. and after 6:00 p.m./Central Time. There shall be absolutely NO such use of water between 6:00 a.m. and 6:00 p.m.
 - (2) Real property assigned odd-numbered mailing addresses shall be permitted to make such use of water on odd-numbered calendar days before 6:00 a.m. and after 6:00 p.m./Central Time. There shall be absolutely NO such use of water between 6:00 a.m. and 6:00 p.m.
- (b) **Exceptions.** The following exceptions shall apply.
- (1) Newly Seeded and Newly Sod Lawns. Newly seeded and newly sod lawns may be watered every day for not more than thirty (30) days but only before 6:00 a.m. and after 6:00 p.m./Central Time provided dated, documented proof of seeding or sod installation is displayed in plain view in the front window or for real property without a building, at such other location so as to be in plain view. There shall be absolutely NO such use of water between 6:00 a.m. and 6:00 p.m.
 - (2) Handheld Devices and Children's Water Toys. Lawns, trees, shrubs, and other outside plants may be watered by handheld devices, such as sprinkling cans, sprayers, hoses (when hand-held), on any day at any time. Children's water toys may be used at anytime.
 - (3) Special Cases. The Village may grant permits for water usage outside the restrictions imposed herein in unique circumstances.

(4) Emergency. Notwithstanding any other provisions herein, Chapter 3, Section 9-3-4 (Emergency Water Regulations) is still in effect for future water conservation measures if necessary, by a majority vote of the Village Board.

(c) **Penalty.**

(1) **First Offense.** Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, forfeit not less than Ten Dollars (\$10.00) nor more than Twenty-Five Dollars (\$25.00) together with the costs of prosecution.

(2) **Second and Subsequent Offense.** Any person found guilty of violating any provision of this ordinance who shall previously have been convicted of a violation of the same ordinance within one (1) year shall, upon conviction thereof, forfeit not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for each such offense together with the costs of prosecution.

(3) **Continued Violation.** Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this ordinance shall preclude the Village from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance.

(d) **Other Remedies.** The Village shall have any and all other remedies afforded by the Wisconsin Statutes in addition to the forfeiture and costs of prosecution above.

2. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such determination shall not affect the validity of the remaining portions of this ordinance.

3. This ordinance shall become effective immediately upon passage and publication as required by law.

Dated this _____ day of _____, 2007.

William R. Loesch, President

ATTEST:

Judy Weter, Administrator