Fruitland Special Service District (FSSD)

Drought & Water Shortage Management Policy

Adopted: September 11, 2025

By: The Board of Trustees

1. Purpose

The purpose of this policy is to protect public health and ensure reliable potable (culinary) water supply during drought or other shortage conditions by:

- Prioritizing drinking water and essential indoor uses.
- Restricting or prohibiting non-essential uses, including outdoor watering.
- Establishing clear enforcement procedures and penalties.

2. Authority & Findings

The Board of Trustees of the Fruitland Special Service District (FSSD) finds and declares the following:

1. FSSD is a political subdivision of the State of Utah empowered to provide culinary water service and to impose fees and operating rules necessary to manage that service, including during shortages (Utah Code §17D-1-103(2)(c), (d), (e), (o)).
2. Utah law declares water to be a public resource, with beneficial use as the basis and limit of water rights (Utah Code §§73-1-1, 73-1-3).
3. The Utah Division of Drinking Water (DDW) directs systems to take decisive action in drought to maintain required pressure, quality, and supply, and to communicate limits on outdoor use where needed.

General Authority for Restrictions
In times of scarcity of water, the Board may, by resolution or public notice, limit the use of water to the extent necessary for the public good and the continued provision of safe drinking water. Such limitations may include, but are not limited to, restrictions on outdoor irrigation, irrigation schedules, and non-essential water usage.

It shall be unlawful for any person, household, business, or their agents to violate any restriction adopted under this Policy. Violations may result in penalties, fines, or suspension of water service as allowed by District policy and Utah law.

3. Scope

This Policy applies to all FSSD customers, connections, and users—residential, commercial, or institutional—within the District's service area.

4. Definitions

- **Culinary Water**: Potable water supplied by FSSD for indoor and drinking uses.
- **Non-Essential Use**: Outdoor irrigation (lawns, gardens, landscaping), vehicle or pavement washing, decorative fountains, dust control, pool filling or topping, and other uses not necessary for health and safety.
- **Secondary Water**: Non-potable irrigation supply (if any). If curtailed, users may not shift outdoor demand to culinary supply unless expressly authorized by FSSD.

5. Drought/Shortage Stages & Restrictions

The Board, or the General Manager/Operator when delegated by Board resolution, may declare drought stages based on source yields, storage levels, system pressure, or DDW guidance.

- **Stage 1 – Advisory (Voluntary Conservation)**
  - Encourage efficient watering per state guidance.
  - Avoid irrigation between 10:00 a.m. and 6:00 p.m.
  - Eliminate runoff and waste.
  - Public education and leak notifications.
- **Stage 2 – Moderate (Mandatory Efficiency)**
  - Outdoor irrigation limited to **2 days/week**, no watering between 10:00 a.m. and 6:00 p.m.
  - Prohibited: watering hardscapes; washing vehicles/pavement without a shutoff nozzle; non-recirculating decorative fountains.
- **Stage 3 – Severe (Mandatory Curtailment)**
  - Outdoor irrigation limited to **1 day/week**.
  - Prohibited: irrigation of new sod/seed, pool filling, dust control with culinary water.
  - Commercial/institutional watering limited to tree/shrub survival using drip/soaker systems only.
- **Stage 4 – Critical (Essential Use Only)**
  - All outdoor watering prohibited.
  - Culinary water restricted to indoor, health-and-safety uses only.
  - Temporary service flow restrictors or scheduled delivery may be used to protect pressure and supply.

Medical & Health Exceptions
Upon written application, FSSD may grant narrow, time-limited exceptions for medically necessary uses or to prevent permanent loss of trees using drip or hand watering, unless Stage 4 is in effect.

6. Declaration, Notice, and Effective Dates

1. **Declaration** – Stages are adopted by Board resolution, or may be declared by the General Manager/Operator when authorized by the Board, with notice provided at the next Board meeting.
2. **Notice** – Public notice shall be given through the District website, email/text alerts, bill inserts, and if urgent, social media or press. Notice shall include stage level, restrictions, effective date, enforcement process, and appeal procedures.
3. **Duration** – A stage remains in effect until amended or rescinded by FSSD.

7. Enforcement & Penalties

Progressive Enforcement Process

- **First Violation** – Written warning and education; 72-hour correction window.
- **Second Violation** – $100 surcharge; optional flow restrictor.
- **Third Violation** – $250 surcharge; mandatory flow restrictor.
- **Fourth Violation** – Temporary shutoff if usage exceeds 24,000 gallons. Restoration requires correction, payment of penalties and charges, and reconnection fees.

Additional Provisions

- Each day of continued non-compliance constitutes a separate violation.
- It is unlawful to tamper with, remove, or bypass District facilities or restrictors. Violators are liable for damages, costs, and penalties.

8. Appeals

Customers may appeal penalties, restrictors, or shutoff within **10 calendar days** of notice. Appeals must be submitted in writing. An administrative hearing will be scheduled before the General Manager (or designee) within 10 business days. Further appeal may be taken to the Board at its next regular meeting.

9. Rates & Billing

The District may adopt seasonal or conservation-based rate structures that encourage efficiency and discourage excessive use, consistent with Utah law and state water conservation policy.

10. Coordination

The District will coordinate with the **Utah Division of Drinking Water (DDW)** when storage or pressure is threatened, and with the local Fire Authority to ensure minimum reserves for fire protection.

11. Severability

If any portion of this Policy is found invalid, the remainder shall remain in full force and effect.

12. Effective Date

This Policy is effective immediately upon adoption by the Board of Trustees.