

Who enforces these fines?

The Board of Water Commissioners recommends that a police officer of the Town, or the Water Superintendent, issue the warnings and fines associated with ban violations.

There are different kinds of water bans. Can you explain them?

There are four types of bans:

(1) Outdoor Watering Odd/Even Day

Outdoor watering at odd numbered addresses is allowed on odd numbers days; even numbered addresses on even days.

(2) Outdoor Water Use Peak Hours (9 a.m. to 5 p.m.)

Outdoor watering is limited to off peak hours; after 5 p.m. in the evening until before 9 a.m. the next morning.

(3) Outdoor Water Restriction

Outdoor water use other than essential uses is prohibited during peak hours. During off peak hours, watering is limited to hand held hoses, buckets or watering cans only. The use of irrigation systems is not allowed.

(4) Outdoor Water Use

All outdoor watering is prohibited.

When does the water ban apply to private well users?

If this article is passed, private well users would be required to follow the same conservation measures when the Ipswich River stream flow is considered very low.

The Board of Water Commissioners Recommendation:

The Board of Water Commissioners recommends that the Town's Water Restriction By-Law be amended to reflect changes made to the Town's water withdrawal permit by the Department of Environmental Protection by the adoption of the recommended changes to the bylaw.

If this article is not passed, the Town's water department customers may be restricted to no outside watering while private well users can continue to water at will. We believe this creates a disparity between public and private well users when low stream flow conditions exist.

There was much debate about this article at last year's Town Meeting and the article was defeated. The Board of Water Commissions believes we failed to communicate the issue clearly. Our goal this year is to make the majority of the Town's water users, which are serviced by the public water system, more aware of this issue and how it impacts them.

The vast majority of the residents of the Town of Topsfield have been extremely cooperative in the past when conservation measures are required. The Board of Water Commissioners thanks these residents for their willingness to conserve when it is necessary.

Questions and answers prior to Town Meeting....

The Water Department and the Board of Water Commissioners recognizes that you, as a resident of the Town, may have questions about this bylaw. A special informational session regarding the proposed changes will be held to answer any of your questions or concerns on:

Date: Thursday, April 24, 2008

Time: 7:30 p.m.

Place: Town Library

TOWN OF TOPSFIELD WATER DEPARTMENT

Before Town Meeting—What You Need to Know About the Proposed Water Restriction Bylaw



The question is “when low stream flow in the Ipswich River exists, should the same conservation measures apply to both private and public well users?”*

**Topsfield water customers*

What is the water permit?

The Massachusetts Department of Environment (DEP) issues a water withdrawal permit to cities and towns specifying how much water the city/town is allowed to use as well as conservation measures that must be followed during certain periods. One of the more recent modifications made to Topsfield's permit requires the Town to implement water restrictions during periods of low stream flow in the Ipswich River. The permit requires the Town to **choose between whether:**

- All residents, including those with private wells, are allowed to do **some** watering
- or
- Water customers (public water users) **are not allowed to water at all** during these periods

If the article passes, how will these changes effect me?

Water customers (public water users) and private well owners that follow water restrictions will not notice any change if the article passes. During periods of very low stream flow, residents will be allowed to water using hand-held hoses, buckets and watering cans after 5 p.m. and until 9 a.m. the following day. This allows residents to water their gardens and other areas with some limitations.

What happens if the article does not pass?

If the article does not pass, and a water ban is in place due to low stream flow, the Town's water customers will not be allowed to water outdoors at all during this

period while private well users will have no restrictions at all. In other words, Topsfield water customers will be required, in accordance with the DEP permit, to compensate for the fact that the Town does not control private wells.

Why does the DEP want private well users to follow the same measures as water customers?

Topsfield is completely contained within the Ipswich River Basin. According to the DEP, both private well users and the water drawn from town wells to service public water users contribute to the river's low flow issues. The DEP is also concerned that public well users will install private irrigation wells to avoid water use restrictions and bypass conservation measures.

Why doesn't the DEP regulate private wells themselves?

The Water Management Act authorizes the DEP to regulate withdrawals of more than 100,000 gallons per day. The DEP contends that cities and towns have the authority to enact bylaws that can require private well users to follow the same conservations measures as public water users. For example, to meet the requirements of this regulation, the Town of Middleton passed a similar bylaw a few years ago.

What triggers the need to implement conservation measures?

Low streamflow in the Ipswich River will be the most common condition requiring conservation measures. During periods of low streamflow, specific measures will apply to both public water customers and private well users.

There are several other triggers that apply only to water customers. Private well users will not be subject to conservation measures required by these conditions:

- Water demand exceeds capacity
- Water use may exceed permitted limits

- Equipment failures
- Or any other condition that may impair the Town's ability to supply water to its customers.

How are residents notified of such a ban?

Public notices (signs, newspaper, website) are given before measures can be enforced. Residents can also join the Water Department's email list by going to:

www.topsfieldpublicworks.org

How often will conservation measures be required?

Relative to the stream flow of the Ipswich River, based on over 75 years of data, it is safe to say that conservation measures will be needed sometime between May 1st and September 30th every year. There has been only one year, 1938, that would not have required mandatory conservation measures during some part of the summer months. It is difficult to predict equipment failures, however, the Water Department maintains equipment on a daily basis and it is only in the event of some unforeseen situation that a water ban would go into effect due to such failures.

What about penalties and fines?

The current bylaw details the penalties and fines that are currently in place when residents do not follow conservation measures. This article makes the same penalties and fines apply to private well users. The first violation is a warning. It is the department's goal to resolve issues before penalties are necessary. However, we recognize that there may be times when there is no other alternative.