

§ 228-21. Jurisdiction.

This article shall apply to all customers of the Newton Water and Sewer Utility and to real properties serviced by the Newton Water and Sewer Utility located inside and outside of the corporate limits of the Town of Newton including:

- A. Real properties situated in the Township of Andover.
- B. Real properties situated in the Township of Sparta.
- C. Real properties situated in the Town of Newton.

§ 228-22. Outdoor landscape water conservation. [Added 12-9-2013 by Ord. No. 2013-31']

A. Water use restrictions.

- (1) Restrictions on outdoor landscape water use apply to all users in the Town of Newton at all times, regardless of source of supply (e.g., public water supplies, wellwater, or groundwater, lakes, streams, or ponds) unless expressly exempt pursuant to Subsection B, Exemptions, below.
- (2) All water use shall conform to the following outdoor landscape water use restrictions:

(a) Lawn watering with a hose or hose-end sprinkler:

- [1] From May 1 to September 30, all outdoor watering shall be conducted between the hours of 5:00 p.m. to 9:00 a.m.;
- [2] The watering of any single area shall not exceed 60 minutes per day;
- [3] No hose or hose-end watering shall be permitted when it is raining.

(b) Irrigating lawns and landscapes with automatic irrigation systems (as defined in § 228-1, above):

- [1] From May 1 to September 30, all outdoor watering shall be conducted between the hours of 5:00 p.m. to 9:00 a.m.; and
- [2] Operation of any irrigation zone equipped with spray (mist) heads shall not exceed 15 minutes per zone. Operation of any irrigation zone equipped with rotary sprinkler heads shall not exceed 50 minutes per zone.

B. Exemptions. Restrictions set forth in Subsection A, above, shall not apply to the following:

- (1) Outdoor water use from rainwater harvesting, gray water, or reclaimed water. Use of gray or reclaimed water must have an approved NJPDES permit issued

1. Editor's Note: With this ordinance, the former §§ 228-22 and 228-23 were redesignated as §§ 228-23 and 228-23.1, respectively.

through the NJDEP.

- (2) Outdoor water use for commercial farms producing harvestable crops, commercial nurseries, sod farms and golf courses.
- (3) Outdoor irrigation necessary for one day only where treatment with an application of chemicals requires immediate watering to preserve an existing landscape or to establish a new landscape.
- (4) Outdoor irrigation necessary for the establishment of newly sodded lawns or landscaping within the first 21 consecutive days of planting.
- (5) Visually supervised operation of an irrigation system by a person in compliance with the New Jersey Landscape Irrigation Contractor Certification Act of 1991 (N.J.S.A. 45:5AA-1) and at the minimum rate necessary in order to check system condition and effectiveness.
- (6) Watering of flowers and shrubs with a hand-held hose equipped with an automatic shutoff nozzle.
- (7) Watering with hand-held containers.
- (8) Irrigation systems equipped with a Smart Water Application Technology ("SWAT") controller [as defined by the Irrigation Association SWAT protocol testing (www.irrigation.org/SWAT)], programmed by a person who holds a New Jersey landscape irrigation contractor certification, pursuant to N.J.S.A. 45:5AA-3.

§ 228-23. Prohibited water use.

- A. Whenever the Town of Newton, by duly adopted resolution of the Newton Town Council, implements water restrictions or imposes a complete ban on outdoor water use and notifies the public of such restrictions or ban by notice published in the official newspaper of record, use of water for outdoor activities enumerated in such notice is prohibited. Such water restrictions or bans on outdoor water use may include a prohibition that no person shall be permitted to:
 - (1) Water lawns or gardens;
 - (2) Wash cars, trucks, boats, or recreational vehicles;
 - (3) Wash public or private driveways, walkways, and sidewalks;
 - (4) Fill swimming pools and ornamental reflecting pools or fountains.
- B. The Town Council will not be limited to restricting the use of water only for the activities enumerated above, but may include other activities that will not be permitted during the effective period of water restrictions or bans on outdoor water use, and such other prohibited activities shall be listed in the duly adopted resolution and the public notice accordingly.

§ 228-23.1. Enforcement.

The Town Manager, through the Chief of Police and the Police Department, shall enforce the provisions of this section. It shall be unlawful for any person to violate such water restrictions or bans or outdoor water use adopted by the Newton Town Council.²

2. Editor's Note: Original Sec. 15-6.4, Violations and penalties, which immediately followed this section, was deleted 2-13-2012 by Ord. No. 2012-2.