

Fruitland Special Service District

Drought & Water Shortage Management Policy

1. Purpose

To protect public health and ensure reliable potable (culinary) supply during drought or other water shortage conditions by (a) prioritizing drinking water and essential indoor uses, (b) restricting non-essential uses (including outdoor watering), and (c) establishing enforcement procedures and penalties.

Authority & Findings.

The Board finds that FSSD is a political subdivision 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)). Utah law declares water a public resource and beneficial use the basis and limit of water rights (Utah Code §§73-1-1, 73-1-3). 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 to protect culinary supplies. [Utah Legislature+1](#)

In times of scarcity of water, when in the judgment of the Board of Trustees of the Fruitland Special Service District it is necessary for the public good and the continued provision of safe drinking water, the Board may, by resolution or public notice, limit the use of water to such extent as may be necessary. Such limitations may include, but are not limited to, restrictions on outdoor watering, irrigation schedules, and non-essential water usage.

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

Nothing in this section shall prevent the District from taking immediate emergency action to protect the water supply when conditions warrant, including complete suspension of non-essential water use.

General Authority for Restrictions

2. Scope

Applies to all FSSD customers, connections, and users, whether residential, commercial, or institutional, within the District's service area.

3. Definitions

- **Culinary water:** Potable water supplied by FSSD for indoor/drinking uses.
- **Non-essential use:** Outdoor irrigation (lawns, gardens, landscaping), vehicle or pavement washing, decorative fountains, dust control, pool filling/top-off, and other uses not necessary for health and safety.
- **Secondary water:** Non-potable outdoor irrigation water (if any). If secondary supply is curtailed, users may **not** shift outdoor demand to culinary supply unless expressly allowed by this Policy or a specific notice from FSSD. DDW encourages systems to prevent such shifts during drought. [Utah Department of Environmental Quality](#)

4. Drought/Shortage Stages & Restrictions

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

- **Stage 1 – Advisory (Voluntary Conservation)**
 - Recommended watering per state guide; avoid 10 a.m.–6 p.m. irrigation; eliminate waste/runoff.
 - Public education and leak notifications. (State drought site confirms local providers set restrictions.) [drought.utah.gov](#)
- **Stage 2 – Moderate (Mandatory Efficiency)**
 - **Limits:** Outdoor irrigation max **2 days/week**; **no watering 10 a.m.–6 p.m.**
 - **Prohibited:** Watering hardscapes; washing vehicles/pavement without shutoff nozzle; decorative fountains without recirculation.
- **Stage 3 – Severe (Mandatory Curtailment)**
 - **Limits:** Outdoor irrigation max **1 day/week**; bans on new sod/seed irrigation; no pool filling/top-off; no dust control with culinary water.
 - Commercial/institutional landscape watering limited to tree/shrub survival (drip/soaker only).
- **Stage 4 – Critical (Essential Use Only)**
 - **All outdoor watering prohibited** (lawns, landscaping, gardens, pools, fountains).
 - **Culinary water restricted to indoor, health-and-safety uses only.**
 - Temporary service flow restrictors or scheduled delivery may be used to maintain minimum system pressure and protect supply quality per DDW guidance. [Utah Department of Environmental Quality](#)

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

5. Declaration, Notice, and Effective Dates

- **Declaration.** The Board adopts/changes drought stage by resolution, or authorizes the General Manager/Operator to declare a stage by written determination consistent with this Policy, reported at the next Board meeting and noticed to customers.

- **Notice.** FSSD will provide public notice (District website, email/text where available, bill inserts, and, if time-critical, social media/press) stating the stage, start date/time, restrictions, enforcement timeline, and how to request an exception or appeal. DDW provides templates for consumer notices during drought. [Utah Department of Environmental Quality](#)
- **Duration.** A stage remains until amended or rescinded by FSSD.

6. Enforcement & Penalties

6.1 Process (Progressive).

- First Violation – Written Warning.** Education + 72-hour correction window.
- Second Violation – Administrative Penalty.** \$100 surcharge added to the bill; optional installation of a flow restrictor.
- Third Violation – Higher Penalty.** \$250 surcharge; mandatory flow restrictor.
- Fourth Violation – Service Shutoff usage over 24,000 gallons.** After due notice (door tag + mailed/electronic notice) and opportunity to appeal (Section 7), FSSD may temporarily discontinue service for violation of District rules governing water service. Service is restored upon (i) correction, (ii) payment of all charges/penalties, and (iii) payment of standard reconnection fees and any actual costs.

Legal basis. This enforcement, including shutoff for violating District water-service rules, is consistent with Utah special-purpose district practice and statutory powers to manage service and impose charges/rules necessary to operate the system; DDW guidance contemplates decisive operational steps in drought to protect potable supply and pressure. [Utah Legislature](#)

6.2 Each Day a Separate Violation. Continued noncompliance after notice = separate violation per day.

6.3 Tampering/Bypass. It is unlawful to remove or bypass a restrictor, reconnect service, or otherwise tamper with District facilities; violators are liable for actual damages, costs, and applicable penalties under District code. (Examples of Utah local provisions prohibiting post-shutoff use and tampering appear in city water system codes.) [Municode Library+1](#)

7. Appeals

A customer may appeal a citation, penalty, restrictor, or shutoff **within 10 calendar days** of notice by submitting a written appeal stating facts and relief requested. The District Clerk schedules an administrative hearing before the General Manager (or designee) within 10 business days; further appeal may be taken to the Board at its next regular meeting. Filing an appeal does not stay Stage 4 prohibitions.

8. Rates & Billing

FSSD may adopt seasonal/conservation rate structures that encourage efficient use and discourage excessive use, consistent with Utah policy to consider conservation in culinary rate setting (e.g., increasing block rates). [Utah Legislature](#)

9. Coordination With DDW and Fire Authority

FSSD will coordinate promptly with DDW when storage/pressure are threatened, and with the local Fire Authority to maintain minimum reserves for fire protection, as DDW guidance recommends. [Utah Department of Environmental Quality](#)

10. Severability

If any portion of this Policy is held invalid, the remainder remains in effect.

11. Effective Date

This Policy takes effect immediately upon adoption by the Board.

Adoption Form

Resolution No. 2025-D

A Resolution Adopting the FSSD Drought & Water Shortage Management Policy

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Fruitland Special Service District that the “Drought & Water Shortage Management Policy” set forth above is hereby adopted and incorporated into the District’s rules governing water service, effective immediately.