

**GRAFTON WATER DISTRICT  
WATER USE RESTRICTION REGULATIONS  
Adopted December 10, 2025**

**Section 1: Authority**

These regulations are adopted by the Grafton Water District (District) under its authority of Chapter 135 of the Acts of 1984 and amended by Chapter 427 of the Acts of 1987 as amended and grants the Districts Board of Water Commissioners authority to make rules and regulations, regulate water use, and set fees and charges in the best interest of the District. These regulations also implement the District's authority under M.G.L. c. 40, § 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under G.L. c. 21G, §§ 15-17. These regulations are also intended to implement other water conservation requirements of M.G.L. c. 21G, the "Massachusetts Water Management Act" and its regulations promulgated at 310 CMR 36.00.

**Section 2: Purpose**

The purpose of this by-law is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a "State of Water Supply Conservation", a "State of Drought" or a "State of Water Supply Emergency" by ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the District in accordance with this by-law and/or by the Department of Environmental Protection under its state law authorities.

**Section 3: Applicability**

All District water customers and users of the public water supply system shall be subject to these regulations and are subject to year-round enforcement.

**Section 4: Definitions**

Agriculture shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.

Automatic irrigation system, including sprinklers, shall mean any system for watering vegetation other than a hand-held hose or a bucket.

Nonessential outdoor water use shall mean those uses that are not required:

1. for health or safety reasons.
2. by regulation.
3. for the production of food and fiber.
4. for the maintenance of livestock; or
5. to meet the core functions of a business.

Nonessential outdoor water uses that are subject to mandatory restrictions include:

- irrigation of lawns via sprinklers or automatic irrigation systems.

- washing of vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and
- washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement or cement.

Exceptions to nonessential outdoor water uses are:

- irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose controlled by a nozzle or a drip-irrigation system; and
- irrigation with harvested and stored stormwater runoff.

The following outdoor water uses are subject to review and approval by the District, through its Board of Water Commissioners or their designee.

- irrigation to establish replanted or resodded lawn or plantings during the months of May and September.
- irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months; and

Person shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

State of Drought shall mean a Drought Advisory, Watch, Warning or Emergency declared by the Secretary of Energy and Environmental Affairs in consultation with the Massachusetts Drought Management Task Force.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, §§ 15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the District pursuant to Section 5 of this by-law.

Water Customers shall mean all persons using the public water supply irrespective of that person's responsibility for payment for use of the water.

Water Users shall mean all persons using the public water supply within the District boundaries.

## **Section 5: Declaration of a State of Water Supply Conservation**

The District, through its Board of Water Commissioners or their designee authorized to act as such:

- may declare a State of Water Supply Conservation upon a determination that conservation measures are appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands; and
- shall declare a State of Water Supply Conservation as necessary to ensure compliance with the Water Management Act.

Upon notification to the public that a State of Water Supply Conservation has been declared, no water customer or user shall violate any provision, restriction, requirement or condition of the declaration. The Water Commissioners may designate the water Superintendent or designee to declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Conservation shall be given under Section 9 of this by-law before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

#### **Section 6: State of Drought**

Upon notification to the public that a State of Drought has been declared, no water customer and or user shall violate any provision, restriction, requirement or condition of the District's water use restrictions. Public notice of a State of Drought shall be given under Section 9 of this by-law before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

#### **Section 7: Declaration of a State of Water Supply Emergency**

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency. Public notice of a State of Water Supply Emergency shall be given under Section 9 of this by-law before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

#### **Section 8: Restricted Water Uses**

A declaration of a State of Water Supply Conservation, State of Drought or State of Water Supply Emergency shall include one or more of the following restrictions, conditions, or requirements limiting nonessential outdoor water use by water customers and or users as necessary to control the volume of water pumped each day, except as provided as acceptable in Section 4. The applicable restrictions, conditions or requirements shall be included in the public notice required under Section 9.

- a) Nonessential outdoor water use days: Nonessential outdoor water use is permitted only on the days per week specified in the State of Water Supply Conservation, State of Drought or a State of Water Supply Emergency and public notice thereof. During a State of Water Supply Conservation, nonessential outdoor water use is restricted as necessary to ensure compliance with the Water Management Act, or for a Town or Water District without a Water Management Act permit, to two days or fewer per week.
- b) Nonessential outdoor water use hours: Nonessential outdoor water use is permitted only during the hourly periods specified in the State of Water Supply Conservation, State of Drought or State of Water Supply Emergency and public notice thereof. At a minimum, nonessential outdoor water use is prohibited during the hours from 9AM to 5PM.
- c) Nonessential outdoor water use method restriction: Nonessential outdoor water use is restricted to a bucket or hand-held hose controlled by a nozzle.
- d) Nonessential outdoor water use ban: Nonessential outdoor water use is prohibited at all times.
- e) Automatic irrigation systems, including sprinklers: The use of automatic irrigation systems is prohibited.

## **Section 9: Public Notification and Notification of DEP**

- a) Public Notification of a State of Water Supply Conservation or a State of Drought – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the District as part of a State of Water Supply Conservation or a State of Drought shall be made as soon as possible, but no later than 48 hours following the declaration of a State Water Supply Conservation or State of Drought by publication in a newspaper of general circulation within the Town. Notification may also include message boards, email, Web sites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform all water customers and or users].
- b) Public Notification of a State of Water Supply Emergency – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by a State of Water Supply Emergency declared by the Department shall be made as soon as possible, but not later than 48 hours after the public water system receives notice of the Department’s declaration of a State of Water Supply Emergency, by publication in a newspaper of general circulation with the Town. Notification may also include message boards, email, Web sites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform all water customers and or users of the State of Water Supply Emergency.
- c) Any restriction imposed pursuant to Section 5 or Section 6 or in the Department’s State of Water Supply Emergency or Order shall not be effective until notification to the public is provided.
- d) Notification of DEP: Submittal of MassDEP’s form “Notification of Water Use Restriction” shall be provided to the Massachusetts Department of Environmental Protection within 14 days of the effective date of the restrictions, per MassDEP regulations (310 CMR 22.15(8)).

## **Section 10: Termination of a State of Water Supply Conservation; Notice**

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners or by decision of their designee upon a determination by either or both of them that the conditions requiring the State of Water Supply Conservation no longer exist, or in accordance with the Water Management Act permit conditions. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in Section 9a for notice of its imposition.

## **Section 11: Termination of a State of Drought; Notice**

Upon notification too the District Water Commissioners or designee that the declaration of a State of Drought has been terminated by the Secretary of Energy and Environmental Affairs, the public will be notified of the termination in the same manner as is required in Section 9a for notice of its imposition.

## **Section 12: Termination of a State of Water Supply Emergency; Notice**

Upon notification to the Water Commissioners or designee that the declaration of a State of Water Supply Emergency has been terminated by the Department of Environmental Protection, the public will be notified of the termination in the same manner as is required in Section 9b for notice of its imposition.

## **Section 13: Penalties**

The Water District, through its Water Commissioners or their designee, including the water superintendent, may enforce this by-law. Any person violating this by law shall be liable to the Town in the amounts listed below:

#### Residential

- 1) First violation: Written warning.
- 2) Second violation: \$500.00 fine.
- 3) Third and subsequent violations: service shut off and \$500.00 turn on charge.

#### Commercial

- 1) First violation: written warning.
- 2) Second violation: \$1,000.00 fine.
- 3) Third and subsequent violations: Service shut off and \$500.00 turn on charge.

Each day of violation shall constitute a separate offense. If a State of Water Supply Emergency has been declared the Water Commissioners may shut off the water at the curb stop.

#### **Section 14: Severability**

The invalidity of any portion or provision of this by law shall not invalidate any other portion or provision thereof.

#### **Section 15: Controls on In-Ground Irrigation Systems**

##### 1. Registration and Installation

- a) All in-ground irrigation systems shall be equipped with a timing device that can be set to make the system conform to the District's nonessential outdoor water use restrictions. Whenever outdoor water use restrictions are in force, the timing device must be set to conform to the daily and hourly nonessential outdoor water use restrictions.

##### 2. Backflow Prevention

- a) All in-ground irrigation systems connected to the municipal water system in the District shall be protected from backflow events by the installation of a backflow prevention device approved by the District. Each backflow prevention device shall be registered with the District. A fee may be charged for this registration. Fees shall be set by the Board of Water Commissioners.
- b) The District shall maintain a list, available to the public, of approved backflow prevention devices. Refer to Table 22-1 in 310 CMR 22.22 for the recommended backflow protection for irrigation systems.
- c) Each backflow prevention device shall be installed in accordance with 310 CMR 22.22 and the manufacturer's instructions. Each device shall be tested upon its installation and annually thereafter. A Massachusetts Certified Backflow Device Tester shall perform all testing. Copies of results of all testing shall be filed with the District.