

EXHIBIT 1

WATER USE RESTRICTION

Section 1. Authority

This regulation is adopted by the Lincoln Board of Water Commissioners pursuant to its powers under Article IX, Section 13 of the Town of Lincoln's General Bylaws and the Regulations of the Board of Water Commissioners. This regulation also implements the Lincoln Board of Water Commissioners' authority under Massachusetts General Laws, Chapter 40, §41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

Section 2. Purpose

The purpose of this regulation is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Lincoln Board of Water Commissioners, the Town of Lincoln or by the Department of Environmental Protection.

Section 3. Definitions

Person shall mean any individual, corporation, trust, partnership or association, or other entity._

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under Massachusetts General Laws, Chapter 21G, §§15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Lincoln Board of Water Commissioners pursuant to Section 4 of this Bylaw.

Water Users or Water Consumers shall mean all public and private users of the public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

Section 4. Declaration of a State of Water Supply Conservation

The Lincoln Board of Water Commissioners may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water

consumers. Public notice of a State of Water Supply Conservation shall be given in accordance with the requirements of Section 6.

Section 5. Restricted Water Uses

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions or requirements shall be included in the public notice required under Section 6.

- a) Odd/Even Day Outdoor Watering – Outdoor watering by water users with odd numbered addresses is restricted to odd numbered days. Outdoor watering by water users with even numbered addresses is restricted to even numbered days.
- b) Outdoor Watering Ban – Outdoor watering is prohibited.
- c) Outdoor Watering Hours – Outdoor watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.
- d) Filling Swimming Pools – Filling of swimming pools is prohibited.
- e) Automatic Sprinkler Use – The use of an outdoor sprinkler system which turns on and off automatically is prohibited.

Section 6. Public Notification of a State of Water Supply Conservation: Notification of DEP

Notification of any provision, restriction, requirement or condition imposed by the Lincoln Board of Water Commissioners as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Any restriction imposed under Section 5 shall not be effective until such notification is provided to the Massachusetts Department of Environmental Protection.

Section 7. Termination of a State of Water Supply Conservation: Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Lincoln Board of Water Commissioners, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by Section 6.

Section 8. State of Water Supply Emergency: Compliance with DEP Orders

Upon notification of 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 intended to bring about an end to the State of Water Supply Emergency.

Section 9. Penalties

Any person violating this Regulation shall be liable to the Lincoln Water Commissioners in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation which shall inure to the Board of Water Commissioners. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with §21D of Chapter 40 of the Massachusetts General Laws. Each day of violation shall constitute a separate offense.

Section 10. Severability and Conflict

The invalidity of any portion or provision of this Regulation shall not invalidate any other portion or provision thereof. Should the provisions of this Regulation conflict with any other regulation of the Lincoln Board of Water Commissioners the provisions of this regulation shall apply.

Section 11. Application

The requirements of this regulation are to be applied in addition to and not in lieu of the regulations contained in Article IX, Section 14 of the Town of Lincoln's General Bylaws.

Adopted: 8/15/08