State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER
Mail Code 401-07
P.O. BOX 402
Trenton, NJ 08625-0402
TEL (609) 292-2885
FAX (609) 292-7695

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

Administrative Order No. 2012-12

I, Bob Martin, Commissioner of the New Jersey Department of Environmental Protection (Department), pursuant to the authority vested in me by the Water Supply Management Act, N.J.S.A. 58:1A-1 et seq., and its implementing rules, N.J.A.C. 7:19, as well as by Executive Order No. 103, issued by Governor Chris Christie on October 31, 2012, hereby order mandatory statewide water use restrictions, as set forth below.

Based upon the current state of emergency associated with Hurricane Sandy and the water supply conditions described below, I find that there is an impending water supply shortage of a dimension which endangers the public health, safety and welfare in the State of New Jersey. Therefore, I have determined this to be necessary to alleviate the water emergency and to be in the general public interest.

Although the State's water supplies are not directly threatened at this time, significant compromises to the energy supply in the wake of Hurricane Sandy may negatively affect the ability to maintain the water supply system and dictate the need for all New Jerseyans to conserve water to the maximum extent practicable. While this Order outlines specific water use prohibitions and exemptions, every resident, business and visitor is urged to use water wisely and to minimize water use both in-and outdoors as much as possible.

SECTION I. Statewide Water Use Restrictions

1. All indoor water use (including for showers, baths, and domestic cleaning) shall be conducted such that the minimum amount is used to accomplish the given task.

2. The serving of water in restaurants, clubs or eating places is prohibited, unless specifically requested by the patron.

3. The washing of any vehicles other than fire, police, and other related emergency vehicles (including HAZMAT vehicles) is prohibited, except in the following cases:

   A. Washing of vehicles performed by a commercial enterprise engaged in car washing is permitted, provided the following requirements are met:

   i. Vehicles shall not be pre-rinsed except with recycled water;

   ii. Rinse cycles shall be forty (40) seconds or less per vehicle, which may be accomplished by increasing conveyor speeds;

   iii. Additional measures shall be implemented to minimize water use, such as reducing the size of water nozzles where possible and plugging all unnecessary out-flows; and

   iv. All fixtures and equipment shall be inspected for leaks on a daily basis. Necessary repairs shall be made immediately.

B. Cars and trucks at dealerships may only be washed just prior to delivery to customers or placement in display showrooms;

   i. The amount of water used shall be the minimum necessary, and rinse time shall be no longer than 2 to 3 minutes;

   ii. All hoses must not leak and shall be equipped with a hand-held nozzle that automatically shuts off when released; and

   iii. Wash and/or rinse water shall be recycled to the extent practicable.

C. Boats and other marine vessels at dealerships and marinas may be washed for sanitary reasons as determined to be necessary in the interest of public health and safety.

4. The use of water for washing impervious surfaces, including but not limited to, streets, roads, sidewalks, driveways, garages, parking areas and patios is prohibited, except in the following cases:

   A. Roadway milling, and for the preparation of asphalt street or driveway re-coating and sealing, provided the amount of water used is the minimum necessary;

   B. For paved surfaces at eating and drinking establishments is permitted for sanitation purposes, provided the amount of water used is the minimum necessary;

   C. For municipal street sweeping, provided that:

      i. Only non-potable water is used;

      ii. The amount of water used is the minimum necessary; and

iii. An appropriate sign is prominently displayed on the street sweeping vehicle, clearly indicating that the water used is non-potable water; and

D. Where the municipal or county health department deems that such washing is necessary to avert a threat to public health or safety, and provided that the amount of water used is the minimum necessary.

5. The use of water for power washing of buildings, vehicles, pavement, or other surfaces is prohibited, except if the power washing is performed by a commercial enterprise primarily engaged in power washing. A commercial power washing enterprise engaged in washing vehicles at a dealership shall comply with the limits for car washing at dealerships set forth at 3. above.

6. The outdoor use of any water for ornamental or aesthetic purposes, including fountains, artificial waterfalls and reflecting pools, is prohibited, except if necessary to preserve or support wildlife, or for sanitary or structural purposes where draining is impractical.

7. The watering of grass, lawns, and landscapes is prohibited, except in the following cases:

A. Lawn watering is permitted immediately following application by a commercial applicator of fertilizer, pesticide or herbicide, within the following limits:

i. The watering is permitted on the date that the chemical is applied. Documentation of the date of application shall be produced upon the request of the appropriate authorities;

ii. The watering may occur only during daylight hours; and

iii. The amount of water used shall be the minimum necessary to ensure the appropriate absorption of the fertilizer, pesticide or herbicide, but in no case shall exceed 20 minutes per area watered.

B. Watering of newly (planted within 30 days of the effective date of this Order) seeded or sodded grassed areas by a professional landscaper during daylight hours, by a means designed and operated to assure effective conservation, provided that:

i. Watering of any single area is limited to 30 minutes.

ii. Watering is performed in accordance with 'The Rutgers Cooperative Extension Best Management Practices for Watering Lawns.'

iii. A sign shall be displayed on the front lawn of the property. The sign shall be at least four feet wide by four feet high, with lettering large enough to be clearly visible from the nearest road. The sign shall read:

AUTHORIZED LIMITED WATERING OF NEW LAWN
Company Name
Address
Telephone Number

iv. Documentation of the planting date shall be produced upon the request of the appropriate authorities.

C. Lawn watering is permitted if it is necessary for the re-vegetation of land in order to prevent soil erosion following earth-moving activities, provided that:

i. The amount of water used shall be the minimum necessary to accomplish the re-vegetation;

ii. The activity is a construction-related project that complies with the "Soil Erosion and Sediment Control Act" (SESCA), N.J.S.A. 4:24-39 et seq., or meets iii below;

iii. If the project is not subject to SESCA (i.e., a single family home or a project of less than 5,000 square feet), the project must be covered by a construction permit issued by the local municipal authority;

iv. The watering is limited to the disturbed area; and

v. Documentation of the planting date shall be produced upon the request of the appropriate authorities.

D. Testing of a newly installed or newly repaired sprinkler system by a commercial enterprise engaged in the installation or repair of lawn irrigation systems is permitted, within the following limits:

i. The amount of water used shall be the minimum necessary to test the sprinkler system;

ii. The test shall be limited to a maximum of five (5) minutes per sprinkler zone; and

iii. During the period of the test a sign shall be displayed on the front lawn of the property. The sign shall be at least four feet wide by four feet high, with lettering large enough to be clearly visible from the nearest road. The sign shall read:

AUTHORIZED LIMITED TESTING OF SPRINKLER SYSTEM
Company Name
Address
Telephone Number

E. All lawn watering authorized herein shall use the minimum amount of water necessary.

F. All lawn watering authorized herein shall be performed in such a way that no puddling or runoff of water occurs; and

G. All lawn watering authorized herein shall be performed in such a way that no paved surfaces are included in the area watered.

9 Watering of athletic playing fields, including those owned, operated, and/or used by professional, college/university and youth league sports teams, as well as those owned or operated by public and private schools and parks, is permitted within the following limits:

A. Watering may not exceed 30 minutes per area watered on any one day;

B. No grass or dirt areas outside of the essential playing area may be watered;

C. Under no circumstances shall a water cannon be used; and

D. Water conservation measures shall be instituted to the maximum extent practicable.

10 The watering of agricultural food crops, sod at commercial sod farms, and the watering of nursery stock at nurseries or retail outlets is permitted and is exempt from restrictions at this time, provided that all watering is done in accordance with best management practices, and:

A. The use and diversion from all sources is less than 70 gallons per minute; or

B. Any use and diversion of 70 gallons per minute or more is authorized by an approved, valid Agricultural Certification or Agricultural Water Use Registration.

11 The use of water for outdoor recreational purposes, not covered by paragraph 9 above, is prohibited, except that:

A. Golf courses who possess a Water Allocation Permit or Water Use Registration issued by the Department may use water within the limits authorized in a valid permit or authorization, provided that:

i. Watering shall be conducted in accordance with 'The Rutgers Cooperative Extension Best Management Practices for Irrigating Golf Course Turf' (in Adobe Acrobat PDF format).

These restrictions and authorizations shall apply equally to all water users in the affected regions, regardless of whether the water used is drawn from ground or surface water (such as a pond, lake, river or stream), a public water supplier, or a private well.

Nothing in this Order shall be construed to prevent any local or county government from instituting water use restrictions that are more stringent, provided the local restrictions do not conflict with State or Federal law. These restrictions and authorizations may be modified and/or supplemented through additional Administrative Orders.

Any person who violates any provision of this Order or who impedes or interferes with

any action ordered or taken pursuant to this Order shall be subject to penalties under N.J.S.A. 58:1A-1 et seq., N.J.S.A. App. A:9-49 et seq., N.J.A.C. 7:19, or under N.J.S.A. 58:10A-1 et seq., N.J.S.A. App. A:9-49 et seq., and N.J.A.C. 7:14A. These enforcement sanctions range from a warning to a fine and/or imprisonment.

Municipal and county law enforcement agencies, as well as State law enforcement agencies, shall be responsible for enforcement of this Administrative Order and any subsequent Orders issued by the Commissioner of Environmental Protection. Exemptions from the restrictions may be available from in limited cases. Any person wishing to be exempt wholly or partially from the restrictions on water use outlined in this Order may apply for a hardship exemption according to the procedure outlined at N.J.A.C. 7:19-16.

This Order shall take effect immediately and shall remain in effect until superseded or terminated by my action or by action of the Governor of the State of New Jersey. All previous Orders issued by me shall remain in effect, except to the extent that they conflict with this Order.

Date: 11/1/2012

Bob Martin
Commissioner