

ORDINANCE NO. 00-563-O

AN ORDINANCE ADOPTING A WATER CURTAILMENT PLAN FOR THE CITY OF COLUMBIA CITY.

The City of Columbia City ordains as follows:

Section 1. Introduction: The City of Columbia City has prepared this water curtailment plan to meet minimum supply needs encountered during drought conditions, supply depletion or emergencies such a facility breakdown or failure. This plan will address conditions that exist during a water shortage emergency and when the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the City of Columbia City. The purpose of this plan is to conserve the water supply of the City of Columbia City for the greatest public benefit with particular regard to public health, fire protection and domestic use. This plan will attempt to provide sufficient water by reducing waste and maintaining water usage on a fair and equitable basis.

Section 2. Authority: This plan will comply with the requirement of the Oregon Water Resources Department and OAR 690-19-030. The City of Columbia City is allowed to implement non-voluntary curtailment or suspension of water service as defined under this plan. The City of Columbia City will hold a public hearing prior to adoption or amendment of this plan.

Section 3. Administration: This plan will be administered by the City Administrator of the City of Columbia City unless specified otherwise.

Section 4. Plan Implementation: The City Administrator of the City of Columbia City or the Columbia City Council can, with a majority of consent, declare an emergency and enact the plan. If a majority of the Columbia City Council cannot be reached, and an emergency situation exists, the City Administrator will have the authority to enact the plan. The plan will remain in effect until the Columbia City Council declares that the water shortage emergency has ended.

If the emergency situation exists in one or more service sections, the plan may be enacted for the entire system or for only those sections directly affected. The scope of enactment will be decided by the City Administrator at the time the plan is enacted and can be broadened or narrowed as needed during the time the emergency situation exists.

Section 5. Water System Capacity Constraints: The City of Columbia City would enact curtailment measures to reduce the impact of a drought or the

inability of the system to meet peak daily demands. These constraints shall apply to all types of customers using water provided by the City of Columbia City.

Section 6. Definitions: For the purpose of this plan, the following terms have the meaning given:

“Billing period” means that period used by the City for the reading of water meters consisting of approximately 61 calendar days.

“Customer” means any person using water supplied by the City of Columbia City.

“Necessary irrigation” means the minimal amount of water which can be applied directly to the plant root zone through hand or drip watering to sustain plant life. Limited to vegetables, flowers and shrubs. Does not include turf, lawns or any other than as expressly stated and is limited to once per week.

“Nonessential irrigation” means all irrigation which is not classified as necessary irrigation.

“Person” means any person, firm, entity, partnership, association, corporation, company, group customer, or organization of any kind.

“Water” means water supplied to or by the City of Columbia City.

Section 7. Curtailment Levels:

A. FIRST LEVEL: Water demand is approaching the reliable capacity of the system and a strong probability exists that, based on current demand patterns, current demand will exceed the current supply if allowed to continue at the current rate. During such time the City shall issue public notices requesting customers to conserve water for a short time until the problem or deficiency is corrected.

B. SECOND LEVEL: The water demand is at the capacity or upper limit of the system and occasionally exceeds the system’s capacity. The City may be experiencing short duration water supply compared to water demand limitations. Causes could include a power outage, pump failure, transmission pipeline break, excessive demands with respect to supply, or raw water quality problems of limited duration (e.g. high turbidity). The City may institute mandatory curtailment measures during the crisis period.

C. THIRD LEVEL: The water system has a problem which results in a supply capacity far below the system demands. This condition could be the result of a minor water supply or infrastructure situation that worsened, or a slightly longer-duration problem. This will require strict curtailment measures to ensure domestic and fire needs can be met. Additional mandatory curtailment measures may be undertaken.

D. FOURTH LEVEL: The water system has an immediate supply or demand problem and the health or safety of the public is at risk. Under this condition, the City would be experiencing long duration water supply compared to water demand limitations. Potential causes could

include an extended drought, a longer-term problem with the raw water supply, or a more significant infrastructure failure with any part of the supply system. Under these conditions, the City may institute mandatory curtailment measures which would be more restrictive and would be strictly enforced.

Section 8. Curtailment Plan:

A. FIRST LEVEL:

1. Voluntary Reduction in Water Use: Through the media the public shall be informed of the current water situation and encouraged to voluntarily curb nonessential uses. These nonessential uses include, but are not limited to:

a. RESIDENTIAL:

(1) Lawn watering more frequently than every other day.

(2) Non-commercial washing of privately-owned vehicles, trailers, and boats, except from a bucket and hose equipped with a shut-off nozzle which may be used for quick rinse.

(3) Washing sidewalks, driveways, parking areas, tennis courts, patios or other exterior paved areas except by the St. Helens Rural Fire District or other public agency for the purpose of public safety.

During this level of curtailment, the City of Columbia City will intensify the current leak repair policy and give leak repairing the highest priority. Public agencies will be asked to curtail their water use in parks and office landscapes. Fire hydrants will not be flushed unless necessary for water quality reasons. No annual hydrant flushing will be conducted.

b. COMMERCIAL/INDUSTRIAL:

(1) Washing of commercial vehicles except in a facility which recycles water.

The City may also recommend all nonessential irrigation be discontinued and all necessary irrigation be done on an alternate day basis, and inform all commercial and industrial customers of the second level of curtailment triggers and restrictions.

2. Notification: Water conservation suggestions will be part of level one curtailment measures and will be distributed through leaflets, public service announcements and newspaper announcements. During the first level of curtailment, the public will be fully advised of possible future curtailment measures and what conditions may require implementation.

B. SECOND LEVEL: At this level, the City may enact the following:

1. Mandatory Reductions in Residential Water Use:

- a. Enact a mandatory alternate day lawn and garden watering schedule (See Appendix A).
- b. Eliminate any use of water from a fire hydrant except for fighting fires or emergency applications.
- c. Required customers to water during the evening hours when demand is lower. Watering in the midday heat will be prohibited.
- d. Disallow the washing of any motor bike, motor vehicle, boat, trailer, airplane, or other vehicle except at a commercial fixed washing facility or by bucket and hose equipped with a shut-off nozzle which may be used for a quick rinse.
- e. Disallow the use of non-recycled water in a fountain or pond for aesthetic or scenic purposes except where necessary to support fish life.
- f. Mandate no person or customer shall cause or permit water to run to waste in any gutter or drain.

2. Mandatory Reduction in Commercial or Industrial Water Use: The following commercial or industrial water uses are hereby determined to be nonessential and may be prohibited during this level::

- a. The use of water for dust control at construction sites.
- b. All non-essential irrigation.
- c. All necessary irrigation shall be done on an alternate day basis.
- d. Disallow the use of water from hydrants for any purpose other than fire fighting.
- e. The washing of commercial vehicles except in a facility which recycles water.

C. THIRD LEVEL: At this level, the City may enact the following:

1. Mandatory Reductions in Residential Water Use:

- a. Restrict all lawn and garden watering to every fourth day (See Appendix B).
- b. Eliminate any use of water from a fire hydrant except for fighting fires, or emergency applications.
- c. Disallow initial filling or refilling of a swimming pool.
- d. Disallow the washing of any motorbike, motor

vehicle, boat, trailer, airplane, or other vehicle, except at a commercial fixed washing facility which recycles its water.

e. Disallow the use of non-recycled water in a fountain or pond for aesthetic or scenic purposes except where necessary to support fish life.

f. Require that no person or customer cause or permit water to run to waste in any gutter or drain.

g. Prohibit daylight watering.

2. Mandatory Reduction in Commercial or Industrial Water Use:

a. Disallow the use of water for dust control at construction sites.

b. Disallow the use of water from hydrants for any purpose other than fire fighting.

c. Set gallonage limits on individual businesses based on the severity of the current situation as well as current and past consumption habits.

d. Contact the largest consumers in the City service area and discuss possible ways to reduce water consumption on an individual basis.

3. Lawn Watering Schedule: Enact a plan allowing customers to water their lawn every fourth day (see Exhibit B). This plan will be publicized in the following ways:

a. The local media will be contacted and asked to give this item heavy publicity.

b. A lawn watering calendar will be sent out to all City of Columbia City water customers.

c. Customers will be required to water during the evening or early morning hours when demand is lower.

D. FOURTH LEVEL: At this level, the City may enact the following:

1. Mandatory Reduction in Residential Water Use:

a. Set gallonage limits on individual residences based on the severity of the situation and current and past per capita consumption patterns.

b. Prohibition on Sprinkling and Watering: Adopt a rule which states that no person or customer shall sprinkle, water or irrigate any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flower or any other vegetation.

c. Mandatory Reduction in Commercial or Industrial Water Use: Limit any commercial or industrial use to 50% of the amount used by the customer during the corresponding billing period in the same time period of the

previous year. If connection to the water system was not in existence during the previous year, an assumed amount will be computed using existing records of similar services. The City of Columbia City reserves the right to set gallonage limits on individual businesses based on the severity of the current situation as well as current and past consumption habits. An appeal to the 50% limitation may be made directly to the City Administrator. The City Administrator's decision will be final.

Section 10. Discontinuance of Service: The City of Columbia City may, after one warning by certified mail or in person by staff, disconnect the water service of any person or customer whenever it is determined that such person or customer has failed to comply with any provisions of this Ordinance. Service so disconnected shall be restored only upon payment of the reconnection fee, or as otherwise specified by law, and any other costs incurred by the City of Columbia City in the discontinuance of service and the giving of suitable assurances to the City of Columbia City that the action causing the discontinuance will not be repeated. In addition, the City of Columbia City may, prior to restoration of services, install a flow-restrictor device on the customer's service and at the customer's expense.

Section 11. Variances: The City of Columbia City may, in writing, grant temporary variances for prospective uses of water otherwise prohibited after determining that due to unusual circumstances failure to grant such variance would cause an emergency condition affecting health, sanitation, or fire protection of the applicant or the public. Appeals for variances shall be made directly to the City Administrator of the City of Columbia City whose decision will be final.

Section 12. Modifications: The City of Columbia City may modify or revise the plan, or any portion of the plan, when it deems appropriate. Modifications of the plan can be passed by a majority of consent by the City Council.

Section 13. Savings Clause: This ordinance is intended to conform to all applicable Federal and Oregon State statutes. If any part is now, or becomes in conflict with said statutes, only that portion which is determined to be in violation shall become invalid.

Passed by the council October 5, 2000 and approved by the Mayor October 6th, 2000.