

**RESOLUTION NO. 1630**

**A RESOLUTION REQUIRING WATER CONSERVATION AND MANDATORY RESTRICTIONS DURING TIMES OF WATER SHORTAGE OR IN OTHER TIMES OF EMERGENCY WHEN THERE MAY BE INSUFFICIENT WATER, AND REPEALING RESOLUTION NO. 919.**

WHEREAS, the City by Resolution No. 919, dated June 15, 1992, established criteria for water conservation and prohibitions of nonessential water use during critical drought or other times of emergency; and

WHEREAS, since adoption of Resolution No. 919 there have been changes in the specified performance criteria for water fixtures in new construction and in the repair and/or replacement of fixtures; and

WHEREAS, since adoption of Resolution No. 919 the City has on several occasions implemented mandatory water restrictions in response to drought conditions and other periods of water shortages; and

WHEREAS, based on the experiences gained since adoption of Resolution No. 919; and

WHEREAS, an ongoing program of water conservation will help assure efficient use of the City's water resources; and

WHEREAS, the City needs to insure that water is available for fire protection and other essential uses.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

ARTICLE I

ONGOING WATER CONSERVATION PROGRAM

Section 1. The purpose of this Article is to encourage efficient water use without creating undo hardship for water users.

Section 2. In all new construction, fixtures or trim as well as landscaping shall conform to the efficient water usage requirements as described in, and as

periodically updated in, the City Code. All repair and/or replacement of fixtures or trim shall similarly conform to the applicable requirements in the City Code.

Section 3. The City shall foster public awareness of the benefits of water conservation and methods to use water efficiently. Such public information should include (but not be limited to) information regarding water-efficient methods for designing and irrigating outdoor landscaped areas, and suggestions for conservation associated with indoor water usage.

Section 4. In accordance with Resolution No. 901, water users who make prompt repairs will not be required to pay that portion of their water bill attributable to water leakage.

Section 5. On each customer's utility bill, the history of that customer's water usage shall be provided so that each customer is able to compare current consumption with the pattern of water usage during the prior twelve months.

## ARTICLE II

### MANDATORY CURTAILMENT DURING THE PEAK SEASON

Section 1. The purpose of this Article is to limit outdoor water use to assure fire flow and essential requirements can be met throughout the peak season.

Section 2. The provisions of this Article shall be implemented in the following manner:

- A. The Public Works Director shall inform the City Manager when water consumption threatens to exceed production and/or available water storage levels needed to meet fire protection and other essential requirements.
- B. Upon notification, the City Manager shall impose mandatory curtailment measures effective immediately upon posting notices in three (3) conspicuous places in the City and announcement in a newspaper of general circulation within the City when feasible.
- C. The restrictions shall stay in effect until such time as the City Manager finds that the conditions which gave rise to the restrictions no longer exist.

The City Manager may declare the curtailment measures terminated in whole or in part effective immediately upon announcement.

Section 3. Once notification of mandatory curtailment has been given, water usage will be restricted as follows:

- A. Landscape irrigation for all customers shall be limited. Such restrictions may be on an alternate day basis (i.e., even-numbered addresses may water on even-numbered days and odd-numbered addresses on odd-numbered days); or such restrictions may be on alternate days of the week (i.e., certain geographical areas may water on specified days of the week); or other limitations may be imposed, provided such restrictions are reasonable and are implemented on an equitable basis.
- B. In order to reduce unnecessary loss due to evaporation, no landscape watering shall be allowed between 9:00 a.m. and 5:00 p.m.
- C. Landscape sprinkling for each landscaped area (i.e., sprinkler zone) shall be limited to 20 minutes per day of allowed watering. This requirement is waived for new landscaping within 180 days of planting, but only to the extent that watering is necessary to sustain the viability of the newly installed landscaping.
- D. Watering with a hand held hose or with an efficiently functioning underground drip irrigation system is exempt from the restrictions of this Article.
- E. Though not required, customers will also be encouraged to avoid using water for other nonessential uses.

### ARTICLE III

#### EMERGENCY WATER RESTRICTIONS

Section 1. The purpose of this Article is to restrict water use to essential service during times of critical water shortages due to severe drought, reduction in pumping or production capability, or other emergency situations where there may be an insufficient water supply.

Section 2. The provisions of this Article shall be implemented in the following manner:

- A. The City Manager shall declare an emergency by means of posting notice in three (3) public and conspicuous places in the City and by announcement in a newspaper of general circulation within the City when feasible. Such announcement shall prescribe the action taken by the City Manager, including the time it became or will become effective, and shall specify the particular activities for which the use of water will be prohibited.
- B. Whenever the City Manager finds that the conditions which gave rise to the emergency water restrictions no longer exist, the City Manager may declare the prohibition terminated in whole or in part, effective immediately upon announcement.
- C. The City Manager shall make or cause to be made a record of each time and date when any emergency declaration is announced to the public, and this includes the notice of termination, both in whole or in part.

Section 3. When a declaration of emergency is announced and notice has been given, the use and withdrawal of water by any person may be limited, including prohibition of some or all of the following:

- A. Sprinkling, watering or irrigation of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any other vegetation. Upon request, the Public Works Director may approve exceptions for new landscaping that has previously been planted, but not established.
- B. Washing automobiles, trucks, trailers, trailer houses, motorbikes, boats, or any other type of mobile equipment.
- C. Washing sidewalks, driveways, parking lots, tennis courts, filling station aprons, porches and other hard surface areas.
- D. Washing the outside of dwellings, washing the inside or outside of office buildings.
- E. Washing and cleaning any business or industrial equipment and machinery.

- F. Operating any ornamental fountain, scenic or recreational ponds and lakes or other structure making a similar use of water, except for the minimum necessary to support fish life.
- G. Use of water to fill, refill or add to any swimming and wading pools or hot tub not employing a filter and recirculating system, and evaporation covers, or where the use of the pool is required by a doctor.
- H. Permitting the escape of water through defective plumbing.
- I. Use of water for construction projects.
- J. Water to serve customers in a restaurant unless requested.

ARTICLE IV  
ENFORCEMENT

Section 1. Any police officer of Clackamas County or employee of the City may enter the premises of any person for the purpose of shutting off or reducing the flow of water being used contrary to the provisions of the prohibition.

Section 2. A person convicted of a violation of any provision of this Resolution shall be punished upon a first conviction thereof, and upon any subsequent conviction thereof, for a Class C Misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such hereunder.

ARTICLE V  
REPEAL OF PRIOR RESOLUTION

Upon adoption of this Resolution by the City Council, Resolution No. 919 enacted by the City Council on June 15, 1992, is hereby repealed.

ARTICLE VI  
VALIDITY


The invalidity of any Section, clause, sentence or provision of this Resolution shall not affect the validity of any other part or Section of this Resolution which can be given effect without such invalid part(s).

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 17<sup>th</sup> day of April, 2000, and filed with the Wilsonville City Recorder this same date.



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CHARLOTTE LEHAN, MAYOR

Attest:

  
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Sandra C. King, CMC, City Recorder

SUMMARY of Votes:

Mayor Lehan	<u>Yes</u>
Councilor Helser	<u>Yes</u>
Councilor Barton	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Holt	<u>Yes</u>