

RESOLUTION NO. 841

A RESOLUTION PROVIDING RULES, REGULATIONS, USER CHARGES, IMPACT FEES AND CONTROL OF CITY WATER SERVICE, ESTABLISHING A DEPOSIT SYSTEM FOR WATER AND SEWER SERVICE AND REPEALING RESOLUTION 660.

ARTICLE I DEFINITIONS

Section 1. "Air Gap" shall mean the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device, and the flood level of said vessel. An approved air gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel; and, in no case, less than one inch (1"). When an air gap is used at the service connection to prevent the contamination of pollution of the public potable water system, an emergency by-pass shall be installed around the air gap system and a reduced pressure principle device, as approved by the Foundation for Cross-Connection Control and Hydraulic Research, (hereinafter called F.C.C.C.H.R.), shall be installed in the by-pass system.

Section 2. "Appeals Board" shall be the City Council.

Section 3. "Auxiliary Water Supply" shall mean any water supply on or available to the premises other than the City's approved public potable-domestic water supply. These auxiliary waters may include water from another purveyor's potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or "used waters" or "industrial fluids." These waters may be polluted or contaminated or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

Section 4. "Backflow" shall mean the flow of water or other liquids, mixtures or substances under pressure into the distributing pipes of a public potable-domestic water supply system from any source or sources other than the public potable-domestic water supply source of the City.

Section 5. "Backflow Preventor" shall be a device or other means designed to prevent backflow or back-siphonage.

Section 6. "Back-Siphonage" shall mean the flow of water or other liquids, mixtures

or substances into the distributing pipes of a public potable-domestic water supply system from any source other than the public potable-domestic water source of the City, caused by the sudden reduction of pressure in the public potable water supply system.

Section 7. "Building Water Service" shall mean the piping structures and appurtenances from the City-owned meter up to five feet (5') of the structure.

Section 8. "City Manager" shall be as defined in Section 2.105 of the Wilsonville Code.

Section 9. "City Council" shall mean the elected Council by charter of the City of Wilsonville.

Section 10. "City Rules and Regulations" shall mean duly promulgated rules and regulations of the City and its duly constructed departments, agents, agencies and employees.

Section 11. "Commercial" shall mean all buildings or structures which are not classified residential or industrial.

Section 12. "Contamination" shall mean an impairment of the quality of the public potable water by sewage, industrial fluids, or waste liquids, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease.

Section 13. "Cross-Connection" shall mean any physical connection or arrangement of piping or fixtures between two other separate piping systems, one of which contains public potable water and the other, non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow or back-siphonage may occur in the potable water system. A water service connection between a public potable water distribution system and a customer's water distribution system, which is cross-connected to a contaminated fixture, industrial fluid system or a potentially contaminated supply or auxiliary water system, constitutes one type of cross-connection. Other types of cross-connections may include, but are not limited to, connectors such as swing connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or change-over devices, sliding multi-part tubes or solid connections.

Section 14. "Customer" shall mean any individual, firm, company, corporation, association, society, group or owner who receives water service from the City.

Section 15. "Director" shall mean the Community Development Director for the City of Wilsonville. (Amended Ordinance No. 312, June 3, 1987).

Section 16. "Double Check Valve Assembly" shall mean an assembly of two independently operating approved check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. The entire

assembly shall meet the design and performance specification and approval of a recognized City approved testing agency for backflow prevention devices. To be approved, these devices must be readily accessible for in-line maintenance and testing in a watertight vault for reduction of possible contamination.

Section 17. "Hazard, Degree of" shall mean an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

Section 18. "Hazard - Health" shall mean any condition, device or practice in the public water system and its operation which could create or, in the judgement of the superintendent, may create a danger to the health and well-being of the water customer. An example of a health hazard is a structural defect, including cross-connections, in a water supply system.

Section 19. "Hazard - Plumbing" shall mean a plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air gap separation or backflow prevention device. Unprotected plumbing type cross-connections are considered to be a health hazard.

Section 20. "Hazard - Pollution" shall mean an actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system, which would constitute a nuisance or would be aesthetically objectionable or could cause damage to the system or its appurtenances, but which would not be dangerous to health.

Section 21. "Hazard - System" shall mean an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

Section 22. "Industrial" shall mean all buildings or structures in which a product is manufactured, stored or distributed, or any combination of the above.

Section 23. "Irrigation Water" shall mean the water utilized exclusively for irrigation purposes.

Section 24. "Official" shall mean the Building Official or Plumbing Official for the City of Wilsonville. (Amended Ordinance No. 312, June 3, 1987).

Section 25. "Owner" shall mean the person(s) who may hold title to or lease the property for which water service has or will be provided.

Section 26. "Potable-Domestic Water" shall mean water which is for human consumption.

Section 27. "Residential" shall mean buildings or structures which are built to be occupied for living purposes.

Section 28. "Service Connection" shall mean the installation which connects the water service line with the building water service, which includes, but shall not be limited to the following: meter, meter box, meter vault, check valves, fittings, seals or other materials to make such connection as deemed necessary by the Superintendent.

Section 29. "Shall" is mandatory.

Section 30. "Superintendent" shall mean the City Engineer for the City of Wilsonville. (Amended Ordinance No. 312, June 3, 1987).

Section 31. "Water Department" shall mean the Facility Maintenance Division of the Community Development Department. (Amended Ordinance No. 312, June 3, 1987).

Section 32. "Water Main Line" shall mean water main lines which are six inches (6") or larger, constructed within a City right-of-way or dedicated easement.

Section 33. "Water - Non-Potable" shall mean water which is not safe for human consumption.

Section 34. "Water Service Line" shall mean the water supply system from the water main line to the property line.

ARTICLE II

USER FEES FOR WATER SERVICE

Section 1. All domestic water consumption, excepting bulk water (Article II) whether it be for residential, commercial or industrial, shall be charged at the rate as indicated in Table I.

TABLE I
DOMESTIC WATER USER FEES

Size of Service	Minimum Charge	Residential S/F & M/F	Commercial Industrial	Fire Service with Detection Meter
5/8" - 3/4"	\$4.13	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe
1"	\$9.90	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe
1-1/2"	\$14.85	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe
2"	\$19.80	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe
3"	\$29.70	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe

4"	\$39.60	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe
6"	\$59.40	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe
8"	\$79.48	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe
10"	\$99.00	\$.008 cubic foot	\$.008 cubic foot	\$3.47/inch diameter pipe

Section 2. Monthly services outside the City limits shall be billed at double the normal rate indicated in Table I.

Section 3. Billing shall be every two (2) months and shall be due ten (10) days after billing is sent, and shall be considered past due after the tenth (10th) day. User fees shall be billed and due as payable to the water service user.

Section 4. In accordance with water meter purchasing procedures, all services two (2) inches and larger shall be covered by specific written agreement with the City, but in no case shall the rate and charges be less than those set forth in this Article.

Section 5. Standpipe services for fire protection shall be charged monthly at the rate of \$2.75 per inch of pipe in diameter, and all services for fire protection shall have a detection meter with valves and vault to comply with City and/or fire district requirements.

Section 6. Water user fees shall be reviewed annually by the City Council. The City Council may, from time to time, including but not limited to its annual review, increase fees giving due consideration to the increase in the consumers price index (CPI) for the Portland metropolitan tri-county area from the month of the last increase to the month preceding the date of the review. The Council may take action not to increase fees in any year it is deemed appropriate to do so.

Section 7. Application for City water service, other than connection and meter installation service, shall be by written application on forms provided at the Finance Director's office. Each application will designate the property to be served and the user thereof and must be accompanied by a deposit in the sum of not less than \$40.00 or an amount equal to an estimated 3 months bill as determined by the City. However, any resident of Wilsonville (a person who has established credit with the City of Wilsonville by having water and/or sewer service in his/her own name) will be allowed to move from one location within the City limits without having to pay a deposit if that resident has lived in Wilsonville for at least three (3) years, has had City of

Wilsonville water and/or sewer service in his/her name and has not been delinquent in paying for water and/or sewer service within the past three years.

Section 8.

A. A refund of the water service deposit will occur when a customer shows a satisfactory credit performance for three years. If it becomes necessary to make one or more visits to enforce collection and/or shut-off for non-payment during the three year period, the City shall retain the deposit. The deposit will be held for an additional three years from the date of the last visit to the customer's premise for collection for non-payment of a bill. (Definition of visit - hand delivery of shut-off notice to the customer's premise. Definition of satisfactory credit - no water shut-off notices hand delivered and/or temporary shut-off of service for non-payment during a three year period.)

B. A refund of the deposit will occur upon the applicant's requesting discontinuance of service provided that all outstanding bills are paid in full. The deposit may be applied to the final bill.

C. If an account is shut-off for non-payment, the deposit shall be held as security until the outstanding balance is paid. The deposit will only be applied to the outstanding balance when the account is closed and no further water service is required by the customer. The remaining balance of the deposit not used to pay outstanding bills will be refunded to the customer.

D. Upon refund of the cash deposit to the applicant for satisfactory credit performance or upon termination of service, the deposit shall be refunded together with interest thereon at the rate of one-half percent (1/2%) below the average annual interest rate received by the City. However, no interest shall be allowed or paid by the City of Wilsonville on deposits which have been deposited with the City for less than 30 days. All cash deposits so paid to the City of Wilsonville by water users shall be credited by the Finance Department into a special account to be known as "Water Deposit Trust Account".

Section 9. All charges for water service furnished or rendered by the City of Wilsonville shall be chargeable to the current user of the property where water service is supplied and, in addition, all persons signing an application for the use of water service shall be personally liable for all charges accrued against the property designated within the application. The City reserves the right to cut off and disconnect water service to the premises without further notice when charges for water service have not been paid within 30 days after the due date, and the expense thereof shall be borne by the user to which such service has been supplied. The City shall provide a minimum of 3 days notice by a door hanger or by mail prior to water service disconnection. Water service disconnection procedures are specified in Article V of this resolution.

ARTICLE III
BULK WATER RATE

Section 1. All bulk water sold after the effective date of this resolution shall be at the rate of \$.010 per cubic feet and full payment for all water purchased shall be made on a monthly basis or until portable meter(s) are returned, and said payment will be due within seventy-two (72) hours of receipt of bill. Deposit checks will not be returned until final billing is paid.

Section 2. Table II identifies the deposits required for the use of portable water meter(s), fire hydrant wrenches and fire hydrant valves(s), by the applicant. The only item which is mandatory for completion of the application is the portable water meter(s).

TABLE II

Fire Hydrant Wrench	\$20.00
Fire Hydrant Valve	\$200.00
Portable Water Meter	\$500.00

Temporary Meter Connection

Shall be dependent on the size of meter requested.

Section 3. If the above items mentioned in Table II are returned in good condition, a portion or all of the deposit shall be returned to the applicant. The City Manager or designated staff person shall make the determination as to the amount of the deposit to be returned. If the applicant wishes to renew the deposit for another ninety (90) day period, the applicant may do so by using a portion or all of the previous deposit as designated by the City Manager or designated staff person to be used as part of or all of the new deposit to be returned.

Section 4. In addition to the bulk water rate and equipment deposit, a fee shall be paid which includes a permit sticker which shall be located on the water hauling equipment. The permit may be renewed at the completion of the permit period, after the inspection of all portable meter(s), fire hydrant valve(s), and hydrant wrench. Permit fees are listed in Table III.

TABLE III

90 Day Permit	\$45.00
60 Day Permit	\$35.00
30 Day Permit	\$25.00

ARTICLE IV

WATER SYSTEM DEVELOPMENT CHARGES

Section 1. The purpose of this Article is to impose the capital cost of municipal water service improvements upon those developments that create the need for or increase the demands for such capital improvements.

The fee imposed by this Article is separate from and in addition to any applicable taxes, assessments, charges, including but not limited to systems development charges, or fees otherwise provided by or imposed as a condition of development.

Fees for connection to the water system shall be charged to the permit applicant or owner(s) of any building(s) in which a water connection is made. Said connection fees shall be a revenue source to the City and shall entitle the applicant or owner(s) to a service connection to the water system.

Section 2. As presented by the 1986 Water System Plan and as shown in Table IV, the capacity of the City's water distribution system, storage facilities and supply source must be increased to satisfy future water demands, including Uniform Fire Code fire flow demands and to preserve compliance with Oregon State Health Division water quality standards.

TABLE IV

PROJECTED WATER SYSTEM DESIGN FLOWS (MGD)

	Average Day Demand	Maximum Month Demand	Maximum Day Demand
1990	1.561	2.837	4.499
1995	2.123	3.790	6.012
2000	2.788	5.064	8.048
2006	3.891	7.161	11.242

In order to provide the water system capacity required to accommodate new development, water system capital improvements have been established and are shown in Table V.

TABLE V
 CITY OF WILSONVILLE
 WATER SYSTEM FACILITIES

CAPITAL IMPROVEMENT SCHEDULE

1993 - 1998 Improvements (1990 Costs)

1.	Surface water source connection	\$2,961,250
2.	Willamette River crossing	\$690,000
3.	Canyon Creek South pipeline	\$45,600
	Total Costs	<u>\$3,696,850</u>

1998 - 2006 Improvements (1990 costs)

1.	1986 Water Plan pipelines	\$572,550
2.	3MG Reservoir (HWL 400)	\$900,000
	Total Costs	<u>\$1,472,550</u>
	Total Capital Improvement 1990 Cost	<u>\$5,169,400</u>

- * **Total Capital Improvement 1991 Cost** **\$5,252,110**
- * (1991 Engineering News Record Construction Cost Index = +1.6 per cent)

Section 3. The methodology for calculating the value of the Water SDC is determined by dividing the total cost of the capital improvement necessary to provide capacity for new development (\$5,252,110) by the design service level of the total municipal water system (11.242 MGD).

$$\frac{\text{COST}}{\text{CAPACITY}} = \$0.47 \text{ per gallon}$$

The volume of municipal water service consumed by an individual water system connection is dependent upon the average maximum capacity of the service meter size. As established by actual water consumption records, the average measured service volume utilized pw water meter is 15.3 per cent of the average maximum capacity for a given service meter size.

TABLE VI
WATER DEMAND AND CONSUMPTION

<u>Meter Size</u>	<u>Average Maximum Capacity*</u>	<u>Average Consumption</u>
5/8 x 3/4	5,760 gpd	881 gpd
1	14,400	2,203
1 1/2	20,736	3,173
2	46,080	7,050
3	86,400	13,219
4	144,000	22,032
6	288,000	44,064
8	1,199,520	183,526
10	1,824,480	279,145

*AWWA Specifications

The value of the SDC for each water service connection is obtained by multiplying the average consumption (gpd) per meter size times the cost per gallon (\$0.47) of the extra-capacity capital improvements.

Where specific water demands vary significantly from those presented in Table VI, the Director may calculate an SDC which will more accurately reflect the impact on the water system. The average maximum capacity of the water meter will be included in the evaluation.

The total cost of a municipal water service connection is obtained by adding the SDC per water meter plus the water meter installation cost. The installation cost includes the actual cost of materials and equipment (including meter, pipe fittings and equipment used on the job), actual cost of labor for installation, and the cost for overhead, administration and replacement.

TABLE VII
WATER METER INSTALLATION COST AND SDC SCHEDULE

<u>Meter Size</u>	<u>Installation Cost</u>	<u>SDC Schedule</u>	<u>Total Connection Cost</u>
5/8 x 3/4 in.	\$ 103	\$ 414	\$ 517
1	263	1,035	1,271
1 1/2	578	1,491	2,069
2	730	3,314	4,044
3	2,285	6,213	8,498
4	3,458	10,355	13,813
6	6,178	20,710	26,888
8	9,854	86,257	96,111
10	12,764	131,198	143,962

Total Municipal Water Service Connection Calculations

Examples:

- A. Single-Family Residence - one 5/8 X 3/4 inch water meter
SDC + Total Installation Cost = Total Service Connection Cost
 $\$414 + \$103 = \$517$
- B. Multi-Family Residence - 220 Dwelling Units; 6 Buildings; one 2 inch meter per building
 $(6 \times \$3,314) + (6 \times \$730) = \$24,264$
- C. 250,000 square foot industrial zone office/warehouse - one 3 inch meter
 $\$6,213 + \$2,285 = \$8,498$

Section 4. As set forth in Ordinance No. CB-O-156-91, the City shall annually review the fee schedules presented in Table VII to determine whether additional fee revenues should be generated to provide extra-capacity improvements needed to address new development or to ensure that revenues do not exceed identified demands. In so doing, the City shall consider:

- 1. Construction of facilities by federal, state or other revenue sources;
- 2. Receipt of unanticipated funds from other sources for construction of

facilities.

Upon completion of this review the City shall consider such amendments, including adjustment to the fee imposed herein, as are necessary to address changing conditions.

Notwithstanding any other provision, the dollar amounts set forth in Table VII of this Article shall on March 1st of each year be computed to increase automatically by the Engineering News Record Northwest (Seattle, WA.) construction cost index. Notwithstanding the foregoing, all calculations shall be carried out to the hundredths place. A final product ending in .49 or less shall be rounded down to the nearest dollar, .50 or more up to the next dollar.

Section 5. The SDC and connection fees required by this resolution to be paid as provided for in Table VII shall be paid in full to the City of Wilsonville Finance Director or designated staff person prior to the scheduling for installation of the service connection. Water SDC credit eligibility and application procedures are specified in Ordinance No. CB-O-156-91, Article IX.

Section 6. The water SDC fee is based upon existing or intended use of the property at the time of application for connection. If the property is improved, expanded, subdivided or otherwise modified so as to increase the water SDC due for that property or structure, a water SDC shall be charged for the modified portion of the property or structure based on the water SDC schedule in effect at the time of the modification.

Section 7. Water connections outside the City limits shall be charged at two (2) times the impact fees provided herein.

Section 8. As provided by Ordinance No. CB-O-156-91, Article X, any citizen or other interested person may challenge an expenditure of SDC revenues as being in violation of this resolution provided a written petition for review is filed with the Wilsonville City Council within two years of the expenditure.

ARTICLE V
DISCONNECTION PROCEDURE

Section 1. After the City water services have been disconnected for non-payment, it shall not be restored unless the bill has been paid in full. The charges for turn-on for non-payment of water bill shall be \$27.50 during 8:00 am to 4:00 pm and \$44.00 during 4:00 pm and 8:00 am on a regular workday. On any holiday, Saturday, or Sunday, a similar charge of \$44.00 will be made for the turn-on service.

Section 2. The charges for turn-off and/or turn-on for reasons other than non-payment of water bill shall be \$27.50. No charge shall be made for water turn-on service for a new customer with a deposit or an established three year credit, and for the turn-on and/or turn-off services necessitated by an emergency such as waterline or equipment breakage.

Section 3. A utility user shall not be allowed to have City utility services at a new location unless the current billings have been satisfied. The non-delinquent bills after deposit deduction remains the responsibility of the service user.

Section 4. The disconnect notice shall be sent to the user as well as the property owner at the time of termination of service for non-payment of bill.

Section 5. Notice.

Notice to the City of the desire of any person to have the water turned off or on at any premises shall be given to the Finance Director at least 24 hours before the water is to be so turned on or off. In no event shall any person, other than the duly authorized employees of the City, turn on the supply of City water after the same has been shut off by the City due to discontinuance of service for any reason.

Section 6. Permit.

No person supplied with water service shall be permitted to supply or furnish such services in any way to other persons or premises without a permit from the City council.

Section 7. Repairs.

The City reserves the right to shut off water from the mains, without notice, for repairs or other necessary purposes. For normal, routine repairs, the City shall take reasonable precaution to notify occupants of affected premises of the intention to shut off the water supply. In no event shall the City, its officers, employees or agents be responsible for any damages resulting from shutting off the City water supply. Water for steam boilers for power purposes shall not be

furnished by direct pressure from the City water main. Owners of steam boilers shall maintain tanks for holding an ample reserve of water.

Section 8. Alterations.

No person, other than an employee or agent of the City, shall tap the City water mains, or make alterations to any conduit, pipe, or other fixture connected therewith, between the main and the property line.

Section 9. Access.

The City shall have free access to all parts of the building or premises which are served by City water service for the purpose of inspecting the pipes and fixtures.

ARTICLE VI

DISBURSEMENT OF FUNDS

Section 1. All payments received by the City under the provisions of this resolution shall be deposited in, and or credited to, the Water Fund of the City of Wilsonville, as follows:

A. Water System Capital Improvement Fund from which funds have been collected in the form of Water Connection Fees.

B. The account(s) for the payment of principal and interest on maturing bonds, from which funds have been collected in the form of Water Connection Fees, and as directed by the City council.

C. The account(s) established for the operation and maintenance of the Water System from which funds have been collected in the form of Water User Fees. Operations and maintenance costs may include system replacement and Capital Outlay. Capital Outlay includes those items which are not Capital Improvements to the water system.

D. The "Water Deposit Trust Account" established for maintaining a deposit fund to ensure payment for services.

ARTICLE VII

WATER CONSERVATION PROGRAM

Section 1. The purpose of this Article is to indicate the means of creating efficiencies of existing City water use and the measures which the City may implement to ensure that inefficiencies are not built into the City's future uses.

Section 2. The City of Wilsonville shall establish a water conservation program guided by the following elements:

A. An ongoing program of regularly scheduled water system leak detection, repair and maintenance in order to establish a water distribution efficiency of at least 85 per cent.

B. A program for increasing customer awareness of the value of water and the benefits of water conservation through a public information system.

C. A voluntary plan for using even/odd addresses to regulate nonessential residential, commercial and industrial water uses on an alternate day basis from July 1 to October 1 (i.e., even numbered addresses may engage in nonessential water usage on even numbered days of the calendar.)

1. The following residential water uses are determined to be nonessential:

a. The use of water to wash any motorbike, motor vehicle, boat, trailer, airplane, or other vehicle, except at a fixed commercial washing facility.

b. The use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard surfaced area, or building or structure.

c. The use of water to fill, refill or add to any indoor or outdoor swimming pools or jacuzzi pools except for neighborhood fire control, where the pools have recycling water systems and evaporative covers, or where the use of the pool is required by a medical doctor's prescription.

d. The use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support fish life.

2. The following commercial or industrial water uses are determined to be nonessential:

a. The use of water to serve a customer in a restaurant unless requested by the customer.

b. The use of water for scenic and recreational ponds and lakes, except for the minimum amount required to support fish life.

c. The use of municipal water by a golf course to irrigate any portion of its grounds except those areas designated as tees and greens.

D. An incentive program to encourage the use of water saving devices in household plumbing fixtures (i.e., toilet tank water dam, low-flow faucet aerator, shower line flow reducer).

E. In all new construction and in all repair and/or replacement of fixtures or trim, only fixtures or trim not exceeding the following flow rates and/or water usage shall be installed. (These rates are based on a pressure at the fixture of 40 to 50 psi.)

Water closet, tank type	3.5 gal. per flush
Water closets, flushometer type	3.5 gal. per flush
Urinals, tank type	3.0 gal. per flush
Shower heads	3.0 GPM
Lavatory, sink faucets	4.0 GPM

Faucets of lavatories located in restrooms intended for public use shall be of the metering or self-closing type.

Section 3. In the event of a critical drought, emergency situation, a reduction in pumping, or in other times of emergency when there may be insufficient water in the City water supply, it is imperative to the public that nonessential uses of water be restricted by the following procedures:

A. The City Manager shall make declaration of 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. 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 the following:

1. Sprinkling, watering or irrigating shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any other vegetation.
2. Washing automobiles, trucks, trailers, trailer houses, railroad cars, or any other type of mobile equipment
3. Washing sidewalks, driveways, filling station aprons, porches and other surfaces.
4. Washing the outside of dwellings, washing the inside or outside of office buildings.
5. Washing and cleaning any business or industrial equipment and machinery.
6. Operating any ornamental fountain or other structure making a similar use of water.
7. Maintaining swimming and wading pools not employing a filter and recirculating system.
8. Permitting the escape of water through defective plumbing.

C. Whenever the City Manager shall find the conditions which gave rise to the water prohibition in effect no longer exist, he may declare the prohibition terminated in whole or in part, effective immediately upon announcement.

D. The City Manager shall make or cause to be made a record of each time and date when any declaration is announced to the public and this includes the notice of termination, both in whole or in part.

E. 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.

F. A person convicted of a violation of the provision shall be punished upon a first conviction thereof for a violation and upon a 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 VIII

REPEAL OF PRIOR RESOLUTION

Upon adoption of this resolution by the City Council, Resolution No. 660 enacted by the City Council on April 18, 1988, is hereby repealed.

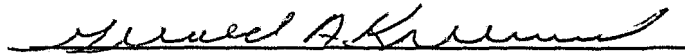
ARTICLE IX

VALIDITY

Section 1. 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).

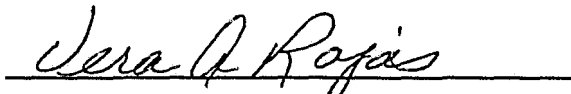
CONSIDERED by the Wilsonville City Council at its regular meeting thereof the 17th day of June, 1991 at which time the resolution was continued to June 27, 1991.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 27th day of June, 1991 and filed with the Wilsonville City Recorder this same date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A. ROJAS, CMC, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Chandler	<u>AYE</u>
Councilor Carter	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Van Eck	<u>AYE</u>