

ORDINANCE NO. 2480 NS

AN ORDINANCE RELATING TO A DROUGHT MANAGEMENT PLAN FOR THE CITY OF SHAWNEE, OKLAHOMA, REPEALING AND AMENDING SECTIONS 26-67 AND 26-67.1 OF THE SHAWNEE MUNICIPAL CODE, SETTING FORTH VOLUNTARY AND MANDATORY RESTRICTIONS FOR WATER USE IN CASE OF WATER SHORTAGES, PROVIDING FOR PENALTIES, PROVIDING FOR REPEALER, PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, AND ~~DECLARING AN EMERGENCY.~~

WHEREAS, from time to time conditions develop which cause a negative impact on the ability of the City of Shawnee to supply water to its citizens; and

WHEREAS, the City of Shawnee has performed a comprehensive analysis of the capability of its water supply and distribution capabilities; and

WHEREAS, it is necessary for the City of Shawnee to have the right and power in case of emergency to regulate the use of water to all consumers by resolution, proclamation, or ordinance as it may deem necessary for the public health, safety, and welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: IMPLEMENTATION OF PLAN. Whenever either Twin Lakes or West Watkins reaches an elevation of 1,064 feet, the Drought Management Plan set forth herein shall be implemented by the method deemed appropriate by the Mayor and City Commission, or by the City Manager, until such time as approval can be ratified by the Mayor and City Commission..

SECTION 2: VOLUNTARY RESTRICTIONS. When either Twin Lakes or West Watkins reaches an elevation of 1064 feet, voluntary restrictions shall be implemented. Voluntary restrictions are:

Voluntary restrictions include the following:

- Turn off the tap while shaving or brushing teeth.
- Shower use less water than baths,
- Plug up the sink or use a wash basin if washing dishes by hand,
- Keep a pitcher of drinking water in the refrigerator instead of letting the faucet run until the water gets cool.
- Wash only full loads of laundry or use appropriate water level or load size selection in washing machine.
- When replacing filters, look for water saving features.

SECTION 3: MANDATORY RESTRICTIONS.

A. Level 1 Mandatory Restrictions

Level 1 Mandatory Restrictions begin when Twin Lakes reaches an elevation of 1,058 feet and/or the average weekly water treatment plant production exceeds 6.0 mgd. It is assumed that West Watkins remains at an elevation of 1,062 feet. Mandatory restrictions include the following:

- Residential, other than household purposes: Outside water usage restricted to 6:00 p.m. to 10:00 p.m. on the odd/even system defined as odd numbered houses utilizing water on Monday and even-numbered houses utilizing water on Tuesday during the above hours.
- Commercial: Outside water usage restricted in same manner as residential customers.

B. Level 2 Mandatory Restrictions

Level 2 Mandatory Restrictions begin when Twin Lakes reaches an elevation of 1,057 feet and/or the average weekly water treatment plant production exceeds 6.5 mgd. It is assumed that Wes Watkins remains at an elevation of 1,062 feet. Mandatory restrictions include the following:

- Residential, other than household purposes: Outside water usage restricted to 6:00 p.m. to 10:00 p.m. on the odd/even system defined as odd numbered houses utilizing water on Monday and even-numbered houses utilizing water on Tuesday during the above hours.
- Commercial: Users are required to reduce water usage by 10 percent as compared to the previous year’s usage figures.

C. Level 3 Mandatory Restrictions

Level 3 Mandatory Restrictions begin when Twin Lakes reaches an elevation of 1,056 feet and the average weekly water treatment plant production exceeds 4.0 mgd. Mandatory restrictions include the following:

- Residential, other than household purposes: Outside water usage restricted to 7:00 p.m. to 8:00 p.m. on the odd/even system defined as odd numbered houses utilizing water on Monday and even-numbered houses utilizing water on Friday during the above hours. Water usage is limited to watering shrubs and young trees only.
- Commercial: Users are required to reduce water usage by 10 percent as compared to the previous year’s usage figures.
- Other: Lawn watering, refilling, or adding water to public and private swimming pools and automobile washing forbidden.

D. Level 4 Mandatory Restrictions

Level 4 Mandatory Restrictions begin when Twin Lakes reaches an elevation of 1,055 feet and the average weekly water treatment plant production exceeds 3.5 mgd. Alternative triggers are when Twin Lakes reaches an elevation of 1,054 feet and/or the average weekly water treatment plant production exceeds 3.0 mgd. Mandatory restrictions include the following:

- Residential, other than household purposes: There will be no usage authorized, other than for household purposes.
- Commercial: Users are required to reduce water usage by 25 percent as compared to the previous year’s usage figures.
- Other: Lawn watering, refilling, or adding water to public and private swimming pools and automobile washing forbidden.

SECTION 4: PENALTY.

Any person violating any provision of the Drought Management Plan, upon conviction, shall be fined as follows:

- (i) First Violation - \$150.00 plus costs
- (ii) Second Violation - \$250.00 plus fine costs
- (iii) Third and Subsequent Violation - \$500.00 fine plus costs

In addition to such penalties, the water, sewer, and garbage services furnished by the City of Shawnee to such person who violates any of the provisions of such proclamation shall be subject to suspension summarily and without notice.

SECTION 5: REPEALER. All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

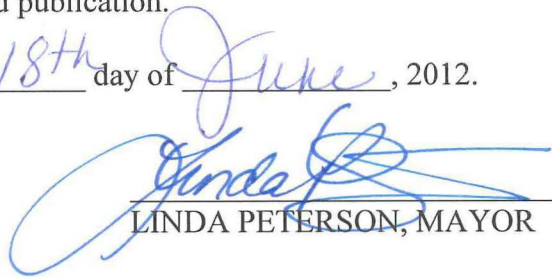
SECTION 6: CODIFICATION. This Ordinance shall be codified in the Shawnee Municipal Code as Section(s) 67 through 67.4, inclusive, unless a duplication of numbering would occur, in which case the codifier is authorized to set out the ordinance as it deems appropriate.

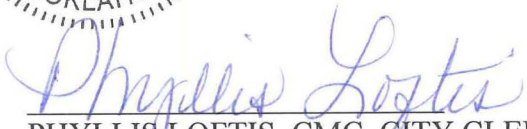
SECTION 7: SEVERABILITY. The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance shall be held invalid, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

SECTION 8: EMERGENCY. Because it is necessary for the protection of the public's health, safety, and welfare, an emergency is declared to exist. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED this 18th day of June, 2012.




LINDA PETERSON, MAYOR


PHYLLIS LOFTIS, CMC, CITY CLERK
(SEAL)

EMERGENCY SEPARATELY MOVED AND APPROVED this _____ day of _____, 2012.

LINDA PETERSON, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK
(SEAL)

APPROVED AS TO FORM AND LEGALITY this 18 day of June, 2012.


MARY ANN KARNS City Attorney

No motion on emergency clause