

ORDINANCE NO. 2485 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 that 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 Wes Watkins Reservoir 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. It is important to be constantly aware of water needs and understand that there are times when it is necessary to conserve water. Prudent use of this essential natural resource is the responsibility of every citizen. We must all take voluntary steps to conserve our water, and this must be reinforced each summer when the need for water becomes the greatest.

Voluntary restrictions include the following:

- Turn off the tap while shaving or brushing teeth.
- Showers 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 rather than allowing the faucet to run until the water gets cool.
- Wash only full loads of laundry, or use appropriate water level or load size selection for 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 Wes Watkins Reservoir remains at an elevation of 1,062 feet. Mandatory restrictions include the following:

- Residential and Commercial, other than household purposes: For addresses ending in an odd number, use is restricted to 6 p.m. Monday through 10 a.m. Tuesday, and 6 p.m. Thursday until 10 a.m. Friday. For addresses ending in an even number, use is restricted to 6 p.m. Tuesday through 10 a.m. Wednesday, and 6 p.m. Friday until 10 a.m. Saturday.

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 Reservoir remains at an elevation of 1,062 feet. Mandatory restrictions include the following:

- Residential and Commercial, other than household purposes: For addresses ending in an odd number, outdoor watering is restricted to 6 p.m. Monday through 10 a.m. Tuesday. For addresses ending in an even number, use is restricted to 6 p.m. Tuesday until 10 a.m. Wednesday.
- 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 and Commercial, other than household purposes: Outside water usage is 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 15 percent as compared to the previous year's usage figures.
- Other: Lawn watering, refilling or adding water to a public and private swimming pool, and washing any motor vehicle are forbidden.

Note, during Level 3 Mandatory Restrictions, it may be necessary to make withdrawals from the Wes Watkins recreational pool, after receiving appropriate approvals.

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 and Commercial, 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 a public and private swimming pool, and washing any motor vehicle are forbidden.

SECTION 4: PENALTY.

The City Code, Section 26-67(b)(4), provides penalties for violation of a proclamation proclaiming a water emergency:

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

- (i) First Violation – Warning
- (ii) Second Violation - \$150 fine plus costs
- (iii) Third Violation - \$250 fine plus costs
- (iv) Fourth and Subsequent Violation - \$500 fine plus costs

In addition to such penalties, the water, sewer, and garbage services furnished by the City of Shawnee to any person or commercial business who violates any provision 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: 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 7: 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 6th day of Aug., 2012.



Phyllis Loftis
PHYLLIS LOFTIS, CMC, CITY CLERK

for Linda Peterson
LINDA PETERSON, MAYOR

EMERGENCY SEPARATELY MOVED AND APPROVED this 6th day of Aug., 2012.



Phyllis Loftis
PHYLLIS LOFTIS, CMC, CITY CLERK

for Linda Peterson
LINDA PETERSON, MAYOR