WATER CONSERVATION; DROUGHT AND EMERGENCY PLAN

§ 52.60 PURPOSE.

The purpose of §§ 52.60 through 52.66 is to adopt a plan for the declaration of a water supply watch, warning, or emergency and the implementation of voluntary and mandatory water conservation measures throughout the city in the event such a watch, warning, or emergency is declared. This plan shall be named the City of McCook Water Conservation, Drought and Emergency Contingency Plan.


§ 52.61 CLASSES OF WATER USE.

The following classes of water use are hereby established for users of water on the city water system.

CLASS 1. Water used for outdoor watering: either public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools, or other recreational areas; or the washing of motor vehicles, boats, trailers, or the exterior of any building or structure.

CLASS 2. Water used for any commercial or industrial purpose, including agricultural, except water actually necessary to maintain the health and personal hygiene of bona fide employees while the employees are engaged in the performance of their duties at their place of employment.

CLASS 3. Domestic usage, other than that which would be included in either Classes 1 or 2. Water necessary only to sustain human life and the lives of domestic pets and maintain standards of hygiene and sanitation.

(Prior Code, § 3-128.01)  (Ord. 2004-2689, passed 3-15-2004)

§ 52.62 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONSUMER. The customer of record using water for any purpose from the city distribution system and for which either a regular charge is made or, in the case of coin sales, a cash charge is made at the site of delivery.

DRAW DOWN. The distance between the static water level and the pumping water level.

PLAN. City of McCook Water Conservation, Drought and Emergency Contingency Plan.

PUMPING WATER LEVEL. The level of water in a well when the pump is pumping.

STATIC WATER LEVEL. The level of water in a well when the pump is not pumping.

TRIGGERS. Significant events which indicate the implementation of the different stages of the Plan.

WASTE OF WATER. Includes, but is not limited to:

(1) Permitting water to escape down a gutter, ditch, or other surface drain;

(2) Failure to repair a controllable leak of water due to defective plumbing; or

(3) As determined by the water system operator.

WATER. Water available to the city by virtue of its water rights introduced by the city into its water distribution system including water offered for sale at any coin-operated site.
WATER SYSTEM CAPACITY. For the purposes of the Plan, water system capacity is determined by aggregate production of all wells in gallons per minute times 60 minutes in any hour times 24 hours per day.

WATER SYSTEM DEMAND. Water meters on each well must be read daily. Daily consumption is calculated by subtracting the previous day’s reading from the current day and added together for each well.

(Prior Code, § 3-128.02) (Ord. 2004-2689, passed 3-15-2004)

§ 52.63 WATER PLAN ESTABLISHED.

In order to assure the continued supply of safe drinking water to the citizens of the city, the City Council adopts the following plan addressing conservation, drought and emergency contingencies. The plan is based upon demand on the system and implements a series of stages depending upon the severity of the demand.

(A) Stage I: Water Watch

(1) Triggers. This stage is triggered by any one of the following conditions: When system capacity reaches four million gallons per day for five days consecutive.

(2) Goals. The goals of this stage are to heighten awareness of the public regarding water conditions and to maintain the integrity of the water supply system.

(3) Education actions.

(a) The city may make occasional news releases to the local media, as well as posting at City Hall, describing present conditions and indicating the regulatory action.

(b) The triggers necessitating the Stage I: Water Watch may also be made available to the news media along with an explanation of terms.

(4) Management action.

(a) The city will ascertain that each well is operating at peak efficiency.

(b) Leaks detected will be repaired within 72 hours.

(c) The city shall reduce Class 1 uses.

(5) Regulatory action. The public may be asked to voluntarily reduce the use of water as defined in Class 1.

(B) Stage II: Water Warning.

(1) Triggers. This stage is triggered by any one of the following conditions: System capacity reaches four and one-half million gallons per day for five consecutive days.

(2) Goals. The goal of this stage is to reduce demand and lighten the burden on existing water wells and the Water Treatment Plant.

(3) Education actions.

(a) The city may make weekly news releases to the local media and by posting, describing present conditions and projecting the outlook for the coming week.

(b) The triggers necessitating the Stage II: Water Warning may also be made available to the public through news releases and posting at City Hall along with an explanation of terms.

(c) Water conservation articles may be provided to the local newspaper and posted at City Hall.

(4) Management actions.
(a) The city will continue to monitor water supplies on a daily basis.

(b) Leaks shall be repaired within 72 hours or a violation notice shall be issued.

(c) The city may terminate its usage of water classified in Class 1 and Class 2.

(5) **Regulation action.**

(a) Water classified as Class 1 and Class 2 will be terminated except as follows:

1. Outdoor water use, including lawn watering and car washing will be restricted to before 10:00 a.m. and after 6:00 p.m.
2. Waste of water is strictly prohibited.

(6) **Declaration of a water warning.** Whenever the City Manager or the Utilities Director finds that conditions exist as described in the plan under Stage II: Water Warning, Triggers, they shall declare a Stage II: Water Warning, and implement the steps outlined under this section. The implementation declaring the existence and end of a Stage II; Water Warning shall be effective upon a news release and posting at City Hall.

(C) **Stage III: Water Emergency.**

(1) **Triggers.** This stage is triggered by any one of the following conditions:

(a) When system capacity has reached five million gallons per day on two consecutive days.

(b) This stage may or can be implemented at anytime because of the following reasons:

1. The loss of a municipal well or booster pump;
2. A large main break;
3. Loss of power due to unknown reasons;
4. Large fire;
5. Undetermined reasons specified by water operator;

(2) **Goals.** The goals of this stage are to reduce the overall weekly consumption and maintain the integrity of the system.

(3) **Education actions.**

(a) The city may make weekly news releases to the local media and by posting, describing present conditions and projecting the outlook for the coming week.

(b) The triggers necessitating the Stage III: Water Emergency may also be made available to the public through news releases and posting at City Hall along with an explanation of terms.

(c) Water conservation articles may be provided to the local newspaper and posted.

(d) The city may conduct public meetings to discuss the emergency, the status of the city water supply, and further actions which may need to be taken.

(4) **Management actions.**

(a) The city water supplies shall be monitored daily.

(b) Leaks shall be repaired within 24 hours. This includes private and city leaks.

(c) The city may seek additional emergency supplies from other sources.

(5) **Regulation actions.**

(a) Uses of water in Class 1 and 2 shall be prohibited.

(b) Waste of water shall be prohibited.

(6) **Declaration of a water emergency.** Whenever the governing body of the city finds that conditions exist as described in this plan under Stage III: Water Emergency, Triggers, it shall be empowered to declare, by resolution, that a Stage III: Water Emergency
exists and implement the steps outlined under this plan. The resolution declaring the existence of a Stage III: Water Emergency shall be effective upon news release and/or posting at City Hall. In the event of a system failure, or natural disaster, the City Manager or the Utilities Director shall have the authority to declare a Stage III: Water Emergency. Within 24 hours after the aforementioned Water Emergency declaration, the City Council shall declare a Stage III: Water Emergency by resolution. The City Manager or the Utilities Director shall declare the end of a Stage III: Water Emergency.

(Prior Code, § 3-128.03) (Ord. 2004-2716, passed 11-1-2004)

§ 52.64 PLAN ENFORCEMENT.

(A) Warning. The City Council hereby appoints the City Manager and the Utilities Director or their agent(s) to issue written warnings to any consumer violating Stage II: Water Warning and Stage III: Water Emergency. The warning shall advise the consumer that a second violation at the same premise within a six-month period shall result in the issuance of an administrative notice of violation.

(B) Administrative notice of violation. The City Council hereby appoints the City Manager and the Utilities Director or their agent(s) to issue a written administrative notice of violation to any consumer violating Stage II: Water Warning and Stage III: Water Emergency for a second time within a six-month period. The notice shall advise the consumer that his or her water rate to the premises shall be double for the next two months and that a subsequent violation at the same premise within a six-month period shall result in the water rate to the premises to be double for the next six months. The consumer shall further be notified that he or she has a right to appeal the issuance of the administrative notice of violation by filing a notice of appeal with the City Clerk within ten days of the issuance of the notice. The action shall be final if no appeal is filed within the ten-day period. The City Manager and the Utilities Director shall hear the appeal within ten days.

(Prior Code, § 3-128.04) (Ord. 2004-2716, passed 11-1-2004)

§ 52.65 EMERGENCY TERMINATION.

Nothing in this plan shall limit the ability of the City Manager or the Utilities Director to terminate the supply of water to any or all customers upon the determination of the officials that emergency termination of water service is required to protect the health and safety of the public.

(Prior Code, § 3-128.05) (Ord. 2004-2716, passed 11-1-2004)

§ 52.66 PERMIT FOR EXEMPTIONS.

(A) Customers may apply for and be granted permits for:

1. New turf sod application for up to three weeks;
2. New grass seed application for up to four weeks. However, the city strongly discourages new grass seed between July 1 and August 31; and
3. Landscape in large common or public areas that, because of irrigation system limitations, cannot be sustained by following mandatory drought restrictions in §§ 52.60 through 52.66.

(B) The above may be canceled by the city in the event a Stage III: Water Emergency is declared.


§ 52.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person who shall violate or refuse to comply with any of the provisions of §§ 52.60 through 52.66 shall be deemed guilty of an offense, and upon conviction thereof, shall be fined not more than $100 for each offense. A new violation shall be deemed to have been committed every 24 hours of the failure to comply. The City Council hereby appoints the police officers to issue citations for
violation of the provisions of §§ 52.60 through 52.66.

(Prior Code, § 3-128.06) (Ord. 2004-2689, passed 3-15-2004)