

**ORDINANCE NO. 2018-07**

**AN ORDINANCE OF THE OTTER ROCK WATER DISTRICT,  
ESTABLISHING STANDARDS FOR WATER CURTAILMENT**

*Annotated to show deletions and additions to the code sections being modified. Deletions are **bold lined through** and additions are **bold underlined**.*

**WHEREAS**, the Otter Rock Water District (hereinafter "District") is a properly formed Domestic Water Supply District created under ORS Chapter 264; and

**WHEREAS**, the District is expressly authorized by Oregon Revised Statutes Chapter 264 to adopt regulations, rates, fees and charges concerning the provision of water service; and

**WHEREAS**, the District fully complied with ORS 198.540 and ORS 198.550 procedures for Ordinance adoption; and

**THE OTTER ROCK WATER DISTRICT ORDAINS AS FOLLOWS:**

**SECTION 1.** The CODE OF LAWS AND ORDINANCE OF THE OTTER ROCK WATER DISTRICT is hereby amended to add a new Section 2. 01 (*Water Curtailment*) to read as follows:

**Chapter 2.01  
WATER CURTAILMENT**

- Sections:
- 2.01.010 Voluntary conservation measures – Phase 1.
  - 2.01.020 Voluntary conservation measures – Phase 2.
  - 2.01.030 Board Declaration of Serious Water Shortage
  - 2.01.040 Enforcement.

**2.01.010 Voluntary conservation measures – Phase 1.**

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Upon a determination that water flows are diminishing, the District Superintendent, in his/her sole discretion, may request voluntary reduction of water use by customers through actions which may include, but are not limited to, the following specific actions:

A. Raise customer awareness through notification of water conditions and provide general information on water conservation;

B. Limit irrigation of lawns to only after 9:00 p.m. to 9:00 a.m.;

C. Limit hosing and/or washing off sidewalks, walkways, driveways, streets, parking lots, open ground, or other hard-surfaced areas to only where necessary for public health or safety;

D. Limit washing cars, boats, trailers, or other vehicles by hose to only when using a shut-off nozzle;

E. Limit cleaning buildings (walls or roofs) to only when in preparation for painting;

## **2.01.020 Voluntary conservation measures – Phase 2.**

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Upon a determination that water consumption is anticipated to exceed availability and/or that water available within the system is approaching the minimum required to meet fire protection and other essential requirements, the District Superintendent, in his/her sole discretion, may request voluntary reduction of water use by customers through actions which may include, but are not limited to, the following specific actions:

A. Restrict all garden and plant watering to 20 minutes a day. Water either early in the morning before 9:00 a.m. or after 7:00 p.m. Make sure automatic watering systems are set to minimize usage.

B. No lawn watering, except for those lawns planted this year.

C. Do not wash sidewalks, walkways, driveways, streets, parking lots, open ground, or other hard-surfaced areas. Use a

broom rather than water to clean your patios, decks, driveways and sidewalks.

D. Use of pressure washers is prohibited.

E. No use of non-recycled water in a fountain or pond for aesthetic or scenic purposes, except the minimum necessary to support fish or aquatic plant life.

E. No initial filling or refilling of hot tubs or pools.

F. Limit serving water for drinking at a restaurant, motel, cafe, cafeteria, or other public place where food is sold or served to any person to only when expressly requested;

G. Check all faucets and hose connections for leaks. Inspect pipes for pinhole leaks and leaking joints. [A slow drip can waste 15-20 gallons a day. Fix it, and you will save almost 6,000 gallons a year].

H. Use low-volume shower heads or take short showers. A five-minute shower can reduce water usage from 40 gallons down to 12-15.

I. Flush Toilets only when needed. Use a water displacement device inside the toilet tank (e.g. brick).

J. For Washers and Dishwashers - do only full loads. Avoid using extra cycles whenever possible.

K. No washing of any motor vehicle, motorbike, boat, trailer, etc.

L. Other voluntary measures on the part of Otter Rock Water District water customers.

### **2.01.030 Board Declaration of Serious Water Shortage.**

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Upon a determination that water consumption appears to exceed availability and/or that water available within the system appears not to meet the minimum required for fire protection and other essential requirements, the District Superintendent, in his/her sole discretion, may at an emergency, special or regular meeting of the District Board present his/her findings and request that the District Board declare an emergency restricting certain water uses. Upon such a determination, the Board may, by Resolution, impose as enforceable prohibitions, any or all of the restrictions listed in in 2.01.020 set forth above, and in

addition, the Board may impose any of the following additional restrictions:

- A. Prohibit all exterior outside water usage, including all outside plant and lawn watering, unless
  - a. it is deemed necessary by the District Board for alleviation of immediate fire or sanitation hazards, or dust control to meet air quality requirements mandated by the Oregon Department of Environmental Quality; or
  - b. it is a park and recreation area deemed by the District Board to be of a particular significance and value to the community sufficient to justify watering, sprinkling or irrigating notwithstanding the water shortage;
- B. Provide for a reduction in system-wide pressure below standard operating pressure in accordance with the existing conditions, but not to the point so as to jeopardize public health or safety;
- C. Restrict or prohibit all other outdoor water uses, as determined appropriate in accordance with existing conditions.

#### **2.01.040 Enforcement.**

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Any violation of the mandatory restrictions and prohibitions stated in this chapter and as imposed by Board Resolution, shall be enforced by the District Board as follows: the District Superintendent shall personally deliver a notice of violation to the occupant at the premises where the violation has occurred. If the occupant is not present, the Water District Superintendent may post the notice on the premises advising the user of the violation and warning that the water service shall be discontinued if the violation continues. The Otter Rock Water District shall also mail the notice of violation by regular mail and

certified mail to the occupant at the address of the subject premises where the violation has occurred. If the violation continues or is repeated, the Otter Rock Water District shall discontinue the water service during the period of the water shortage. Reconnection after shut off for violation of water curtailment resolution shall require payment of a surcharge equal to ten times the monthly water rate for the property.

**SECTION 2. Findings Adopted.**

The findings contained in the Whereas Clauses of this ordinance together with the competent substantial evidence in the record of this legislative proceeding are incorporated into this section by reference as if fully set forth herein, and are adopted in support of this legislative action.

**SECTION 3. Severability.**

The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**SECTION 4. Ordinance Effective Date**

This Ordinance shall be effective thirty (30) days after the adoption of the ordinance.

Following a motion to be read by Title only, the foregoing ordinance was distinctly read by Title only in accordance with Oregon Revised Statutes on the 11<sup>th</sup> day of December, 2018 (First Reading) and after changes were fully read, the Ordinance was distinctly read by Title a second time on the \_\_\_\_ day of \_\_\_\_\_ 2018 (Second Reading).

PASSED AND ADOPTED by the Board of Commissioners of the Otter Rock Water District this \_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
ROD ZAWALSKI                      DATE  
BOARD PRESIDENT

ATTEST:

\_\_\_\_\_  
BOARD SECRETARY,              DATE

PASSED AND ADOPTED by the Board of Commissioners of the Otter Rock Water District this \_\_\_\_ day of \_\_\_\_\_, 2018.

Vote:	Yes / No
Commissioner 1	_____
Commissioner 2	_____
Commissioner 3	_____
Commissioner 4	_____
Commissioner 5	_____

\_\_\_\_\_  
 ROD ZAWALSKI,    DATE  
 BOARD PRESIDENT

ATTEST:

\_\_\_\_\_  
 BOARD SECRETARY/TREASURER    DATE