

**CITY OF SILVERTON
RESOLUTION
22-05**

A RESOLUTION OF THE SILVERTON CITY COUNCIL REPEALING RESOLUTION 16-31, AND IMPLEMENTING A WATER CURTAILMENT PLAN AND ESTABLISHING PENALTIES FOR VIOLATING THE REQUIREMENTS OF THE PLAN

WHEREAS, the City Council desires to encourage water conservation practice among Silverton's citizenry, and

WHEREAS, the City water supply system may experience a shortage in the amount of water needed for normal water consumption of the citizens receiving water service; and

WHEREAS, a City water supply shortage is a serious emergency requiring special measures to be implemented by the Council; and

WHEREAS, water shortages may be forecasted in advance of their occurrence and thereby provide a period for the City to implement stages of curtailment measures that can effectively reduce water usage; and

WHEREAS, the water flows of Abiqua and Silver Creeks drop significantly during the summer months; and

WHEREAS, Silverton is part of the Pudding Watershed and Silverton's water usage affects other water users in the Pudding Watershed;

WHEREAS, City Code Sections 13 .10.020 and 13.06.020 provide for City Council to adopt, by resolution, a Water Curtailment Plan and penalties for violations.

WHEREAS, City Council adopted a Water Management and Conservation Plan on February 8th, 2016, which included a water curtailment program; and

WHEREAS, The City Council adopted Resolution 16-31 establishing the water curtailment program.

WHEREAS, The City Council perceives the need to review the "triggers" in the alert levels.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SILVERTON THAT RESOLUTION THE WATER CURTAILMENT PLAN SHALL BE AS FOLLOWS.

Section 1: WATER CURTAILMENT PLAN:

This Water Curtailment Plan (the "Plan") is designed to minimize the impacts of emergency water shortages by reducing the demand. The Plan includes five levels. With each level the City progressively moves to higher goals of reducing water demand to deal with an increasingly lower drinking water supply. The Plan focuses on Abiqua Creek since it is the City's primary water

source, but includes Silver Creek, Silverton Reservoir, and any other water source the City may develop over time. Each level includes the following: (1) "triggers" which define the level; (2) the actions to implement and water reduction goals in response to the triggers; and (3) finally the penalties and/or fines to enforce compliance with each level. The Plan provides the City with the flexibility to adequately deal with emergency water shortages.

LEVEL 1 - LOW ALERT:

A. A Level 1, Low Alert, will be implemented each year on May 1st and continue until September 30th unless the City moves into level 2 or higher:

B. A Level 1, Low Alert, will require implementing the following actions:

Actions:

The Public Works Director will issue a general request for voluntary reductions in water use by all water users. This will include public information providing a summary of the current water situation, the reason for the requested reduction in use, and a warning that mandatory reductions will be required if the voluntary measures do not sufficiently reduce water usage. A time frame for the voluntary reduction will be provided, indicating approximately when the voluntary reductions will be concluded.

Goals:

The goal of Level 1 is to inform the public of the need to reduce water consumption and to reduce water consumption by 5%.

C. Enforcement:

Water waste shall be discouraged and those not following these Level 1 Actions may receive a written notice.

LEVEL 2 - MILD ALERT:

A. A Level 2, Mild Alert, will be triggered by any of the following:

- a. Failure to meet goals of Level 1;
- b. Water consumption reaches 85% of water production capacity for 3 consecutive days; and/or
- c. Abiqua Creek stream flow decreased by 50%, compared to normal, as measured by the USGS gauging station above the Abiqua intake.

B. A Level 2, Mild Alert, will require implementing all the following actions:

Actions:

- a. No flushing of water system unless essential.
- b. Implement schedule for irrigation of lawns and landscape, such as odd/even watering.
- c. Commercial and residential use to be reduced by 10%.
- d. Washing of vehicles will be prohibited except at commercial car wash facilities that recycle and reuse their water.

This Level will implement mandatory reduction in water use by all water users, and will be approved by City Council. This Level will assure normal capacity flow during reduced production or delivery schedules and help eliminate peak demands that may create other concerns for the water system.

Goals:

The goal of this Level is to reduce overall customer water demand by 10%.

C. Enforcement:

Water waste shall be prohibited and strictly enforced. On first offense, violators may receive a written warning; for the second violation a \$60 fine; for the third violation a \$120 fine; and for the fourth and successive violations a \$240 fine. Each day of a violation is a new and separate offense. The City may turn off water service until payment of all fines is received.

LEVEL 3 - MODERATE ALERT:

A. A Level 3, Moderate alert, will be triggered by any of the following:

- a. Failure to meet goals of Levels 1 or 2;
- b. Water consumption reaches 90% of water production capacity for 3 consecutivedays;
- c. High level pumping capacity reduced to 80% of normal;
- d. Water production capacity reduced to 80% of normal; and/or
- e. Abiqua Creek stream flow decreased by 60% compared to normal, as measured by USGS gaging station above the Abiqua intake.

B. A Level 3, Moderate Alert, will require implementing all the following actions:

Actions:

- a. No Flushing of water system unless essential.
- b. implement schedule for irrigation of lawns and landscape, such as odd/even watering.
- c. Commercial use to be reduced by 10% and residential use to be reduced by 20%.
- d. Washing of vehicles will be prohibited except at commercial car wash facilities that recycle and reuse their water.

City Council must approve the implementation of these actions.

Goals:

The goal of this Level is to reduce overall customer water demand by 20%.

C. Enforcement:

Water waste shall be prohibited and strictly enforced. On first offense, violators may receive a written warning; for the second violation a \$60 fine; for the third violation a \$120 fine; and for the fourth and successive violations a \$240 fine. Each day of a violation is a new and separate offense. The City may turn off water service until payment of all fines is received.

LEVEL 4 - HIGH ALERT:

A. A Level 4, High Alert, will be triggered by any of the following:

- a. Failure to meet goals of Levels 1, 2, or 3;
- b. Water consumption reaches 95% of water production capacity for 3 consecutive days;
- c. High level pumping capacity is reduced to 70% of normal;
- d. Water production capacity reduced to 70% of normal;
- e. The Governor declares the area to be in severe drought conditions; and/or
- f. Abiqua Creek stream flow decreased by 70% compared to normal, as measured by USGS gaging station above the Abiqua intake.

B. A Level 4, High Alert, will require implementing all the following actions:

Actions

- a. All of the preceding Actions.
 - b. Implement a drought rate surcharge for all customers. The commodity rate will be doubled for all water use above the established winter time average water consumption.
 - c. All outdoor use of water is prohibited including all washing of cars.
 - d. All residential customers will be set at a daily allotment in units of gallons per day or cubic feet per day.
 - e. Water service will be disconnected if allotment is disregarded.
 - f. Commercial customers will be reduced to 70% of the previous year's average water usage.
 - g. Bulk water sales/usage will be terminated.
- City Council must approve the implementation of this action plan.

Goals:

The goal of this Level is to reduce overall customer water demand by 30%.

C. Enforcement:

Water waste shall be prohibited and strictly enforced. On first offense, violators may receive a written warning; for the second violation a \$60 fine; for the third violation a \$120 fine; and for the fourth and successive violations a \$240 fine. Each day of a violation is a new and separate offense. The City may turn off water service until payment of all fines is received.

LEVEL 5 - EXTREME ALERT:

A. A Level 5, Extreme Alert, will be triggered by any of the following:

- a. High level pumping capacity is reduced by 50%;
- b. Water production reduced by 50%;
- c. Creek flows are very limited;
- d. A natural disaster which incapacitates the water system;
- e. Intentional sabotage act causing long term disabling of water system; and/or
- f. Abiqua Creek stream and/or Silver Creek flows, compared to normal, decrease by 80%, as measured by the USGS gaging station above the intake.

B. Action Plan and Goals:

This Level will activate the City's Emergency Operations Plan.

C. Enforcement:

Enforcement will follow the City's Emergency Operations Plan.

Section 2: This resolution shall be in effect for one-year and the City Staff is instructed to review with the City Council the “triggers,” “actions,” “measuring standards” and enforcement at each level for possible amendments

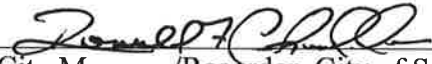
Section 3: That this resolution is and shall be effective after its passage by the City Council.

Resolution adopted by the City Council of the City of Silverton, this 7th day of March, 2022.



Mayor, City of Silverton
Kyle Palmer

ATTEST



City Manager/Recorder, City of Silverton
Ron Chandler