

ORDINANCE NO. 82

AN ORDINANCE ESTABLISHING WATER CONSERVATION STANDARDS; REGULATING THE USE OF WATER; PROHIBITING CERTAIN USES OF WATER FROM THE CITY OF WILSONVILLE WATER SYSTEM NOT ESSENTIAL TO PUBLIC WELL BEING; DESIGNATING THE CREATION OF WATER EMERGENCIES; AUTHORIZING THE CITY TO TERMINATE WATER SERVICE FOR VIOLATION; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND DECLARING AN EMERGENCY.

WHEREAS, during the summer months and in other times of emergency there is or may be insufficient water in the City of Wilsonville water supply system to allow irrigation and other uses of water at all times by all parties; and

WHEREAS, the level of water supply to the City is at certain times dangerously low; and

WHEREAS, it is imperative to the public well being that certain uses of water not essential to health, welfare and safety of the City be restricted from time to time; therefore,

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. Definitions. For the purpose of this ordinance, the following terms, words, phrases and their derivations shall have the meaning given herein. When not inconsistent with the context, the words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "City" is the City of Wilsonville.

(2) "Person" is any firm, partnership, association, corporation, including a municipal corporation and a subdivision of the State of Oregon, company or other organization of any kind.

(3) "Water" is water from the City water supply system.

Section 2. Application of Regulations. The provisions of this ordinance shall apply to all persons using water, both in and outside the City, regardless of whether any person using water shall have a contract for water service with the City.

Section 3. Waste Water.

(1) Where water is wastefully or negligently used on a customer's premises, seriously affecting the general service, the City may discontinue the service if such conditions are not corrected after due notice by the City.

(2) Water shall not be furnished except through a meter to any premises where there are defective or leaking pipes, faucets, closets, or other fixtures, or where there are water closets or urinals without self-closing valves and, when such leakage or other defects are discovered and not corrected, the City may discontinue service after giving due notice and until repairs are made.

(3) Water must not be allowed to run to waste through any faucet or fixture or kept running any time longer than is actually necessary. Sprinkling of lawns, gardens, and parking strips shall be confined to what is actually needed and no running to waste on sidewalks, streets, and gutters shall be permitted. When any such waste is discovered, the water service to the premises may be discontinued.

Section 4. Car Wash Installations.

(1) Car wash installations shall be equipped with a water recycling system approved by the Public Works Department.

(2) No coin operated car wash shall be installed or used until plans have been submitted to and approved by the Public Works Department. The plans shall show the method of connections to an approved sanitary sewer system, disposal of rain or surface water and the protection of the potable water system.

(3) Any water connected device or appliance requiring a continuous flow of 5 GPM or more and not previously listed in this section shall be equipped with a water recycling system approved by the Public Works Department.

Section 5. Water Conservation.

(1) In all new construction and in all repair and/or replacement of fixtures or trim, only fixtures and trim not exceeding the following flow rates and/or water usage shall be installed. These rates are based on a pressure at the fixture of 40 to 50 psi.

Water closets, tank type	3.5 gal. per flush
Water closets, flushometer type	3.5 gal. per flush
Urinals, tank type	3.0 gal. per flush
Shower heads	3.0 GPM
Lavatory, sink faucets	4.0 GPM

(2) Faucets of lavatories located in restrooms intended for public use shall be of the metering, or self-closing type.

Section 6. During General Fire Alarm. No person shall use water for irrigation during the period when a general alarm fire is in progress within the City.

Section 7. Use of Water During Emergency.

(1) Whenever the Mayor finds, on the basis of the water storage reserves, that the amount of water available and the probable use of water or the probable drawing thereon from the City mains makes it necessary that there be a conservation of the water to protect the citizens and property of the City of Wilsonville, the Mayor shall be and he is hereby empowered to declare a water emergency and thereafter to put into effect a water-using prohibition on all or any part of the following uses of water; and during such time, the uses of such water for the purpose for which the Mayor announces that water use is prohibited shall be prohibited:

(a) Watering yards. The sprinkling, water or irrigating of shrubbery, trees, lawns, grass, grounds, covers, plants, vines, gardens, vegetables, flowers or any other vegetation.

(b) Washing mobile equipment. The washing of automobiles,

trucks, trailers, trailer houses, railroad cars or any other type of mobile equipment.

(c) Cleaning of equipment, machinery or outdoor surfaces. The washing and cleaning of all industrial equipment, machinery, sidewalks, driveways, streets, roads, filling stations, aprons, porches and other outdoor surfaces.

(d) Cleaning buildings. The washing of the outside of buildings, and this shall include dwellings or accessory buildings about or upon any premises.

(e) Ornamental fountains. The operation of any ornamental fountain or other structure making a similar use of water.

(f) Swimming pools. The filling of any swimming or wading pool.

(g) Bulk water usage.

Section 8. Exception to Maintian Sanitation. The Mayor shall have the authority to permit a reasonable use of water in any case necessary to maintain adequate health and sanitation standards.

Section 9. Length of Restriction, Prohibition. The prohibition shall remain in effect until terminated by an announcement of the Mayor in accordance with this ordinance.

Section 10. Declaration of Water Emergency.

(1) The Mayor shall cause each declaration made by him pursuant to this ordinance to be publicly announced by means of posting notice in three (3) public and conspicuous places in the City of Wilsonville, and he may cause such declaration to be further announced in a newspaper of general circulation within the City when feasible. Each announcement shall prescribe the action taken by the Mayor, including the time it became or will become effective, and shall specify the particular use for which the use of water will be prohibited.

(2) Whenever the Mayor shall find the conditons which gave rise to the water prohibition in effect pursuant to this ordinance

no longer exist, he may declare the prohibition terminated in whole or in part in the manner prescribed by this ordinance, effective immediately upon announcement.

(3) The Mayor shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section, and this includes the notice of termination, both in whole or in part.

Section 11. Authority of Officer. Any police officer of Clackamas County or employee of the City of Wilsonville may enter the premises of any person for the purpose of shutting off or reducing the flow of water being used contrary to the provisions of this ordinance.

Section 12. Penalties. A person convicted of the violation of any provision of this ordinance shall be punished by a fine of not more than \$50 or less than \$5, or by imprisonment for not more than 10 days in jail. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 13. Separability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 14. Finding of Emergency. That inasmuch as it is necessary for the peace, health, safety and welfare of the citizens of the City of Wilsonville that the above ordinance become effective with its adoption, the council by its vote declares an emergency to exist; and this ordinance shall go into full force and effect upon and after its passage by the council and approval by the Mayor.

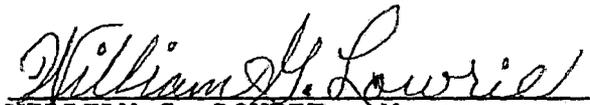
Passed by the Wilsonville City Council on first reading at a special meeting thereof on June 20, 1977; ordered posted in three (3) public and conspicuous places in the City of Wilsonville for a period of five (5) consecutive days as required by the Wilsonville City Charter; and to come up for final reading and action of the Wilsonville City Council at a regular meeting thereof to be held on the 6th day of July, 1977, at the hour of 8:00 o'clock p.m. at the Council's ^{temporary} meeting place at the Wilsonville I.O.O.F. Hall.


WILLIAM G. LOWRIE - Mayor

ATTEST:


DEANNA J. THOM - City Recorder

Passed on final reading at a regular meeting of the Wilsonville City Council this 6th day of July, 1977, by the following vote:
Yeas 5. Nays 0.


WILLIAM G. LOWRIE - Mayor

ATTEST:


DEANNA J. THOM - City Recorder