

WATER CONSERVATION ORDINANCE

ORDINANCE NO. 010992-3

An Ordinance of the SEAL ROCK WATER DISTRICT Declaring a Water Shortage Emergency, Establishing Rules and Regulations Prohibiting or Limiting, Nonessential Uses of Water, and providing Penalties for Violation Thereof.

The BOARD OF COMMISSIONERS of SEAL ROCK WATER DISTRICT does enact as follows:

Section 1. **Purpose and Intent.** The BOARD OF COMMISSIONERS of SEAL ROCK WATER DISTRICT hereby declares that a water shortage emergency condition prevails within the SEAL ROCK WATER DISTRICT due to drought conditions prevailing throughout this region and that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the SEAL ROCK WATER DISTRICT to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.

In order to conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection, this BOARD OF COMMISSIONERS adopts the following regulations and restrictions on the delivery and consumption of water to take effect immediately and remain in effect until rescinded by ordinance.

The specific uses regulated or prohibited in the Ordinance are nonessential, if allowed would constitute wastage of water and should be prohibited.

Section 2. **Definitions.** For the purpose of the Ordinance, the following terms have the meaning given:

"Customer" any person using water supplied by the Seal Rock Water Dist. (agency)

"Chief Officer" The Chairman of the BOARD OF COMMISSIONERS of the SEAL ROCK WATER DISTRICT.

"Person" any person, firm, entity, partnership, association, corporation, company, or organization of any kind.

"Water"

water from the SEAL ROCK WATER DISTRICT, unless expressly provided otherwise or required by the contract.

Section 3. Application. The provisions of this Ordinance shall apply to all customers using water provided by the SEAL ROCK WATER DISTRICT.

Section 4. Prohibition on Sprinkling and Watering. No person or customer shall sprinkle, water, or irrigate any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation., except as follows:

- (a) Such irrigation, sprinkling, and watering shall be permitted by residents No. of Cross St.(even-numbered addressed residences or certain locations) on even-numbered days of the calendar.
- (b) Such irrigation, sprinkling, and watering shall be permitted by residents So. of Cross(odd-numbered addressed residences or certain locations) on odd-numbered days of the calendar.

Section 5. Nonessential Residential Water Use. The following residential water uses are hereby determined to be nonessential and are prohibited:

- (a) The use of water to wash any motorbike, motor vehicle, boat, trailer, airplane, or other vehicle, except at a commercial fixed washing facility.
- (b) The use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard surfaced area, or building or structure.
- (c) The use of water to fill, refill or add to any indoor or outdoor swimming pools or jacuzzi pools except for neighborhood fire control, where the pools have recycling water systems and evaporative covers, or where the use of the pool is required by a medical doctor's prescription.
- (d) The use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support fish life.

Section 6. Nonessential Commercial or Industrial Use. The following commercial or industrial water uses are hereby determined to be nonessential and are prohibited:

- (a) The use of water to serve a customer in a restaurant unless requested by the customer.
- (b) The use of water for scenic and recreational ponds and lakes, except for the minimum amount required to support fish life.
- (c) The use of water from hydrants for construction purposes, fire drills, or any purpose other than firefighting.
- (d) The use of water by a golf course to irrigate any portion of its grounds except those areas designated as tees and greens.
- (e) The use of water for dust control.

Section 7. Gutter Flooding. No person or customer shall cause or permit water to run to waste in any gutter or drain.

Section 8. Regulation of Applications for New Water Service. No applications for new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved, or installed.

Section 9. Discontinuance of Service. The Chairman of the BOARD OF COMMISSIONERS may, after one warning by certified mail or in person by staff, disconnect the water service of any person or customer whenever he determines that such person or customer has failed to comply with any provisions of this Ordinance. Service so disconnected shall be restored only upon payment of the turn-on charge, hereby fixed at \$10.00 during office hours of \$20.00 after office hours, or as otherwise specified by law, and any other costs incurred by the SEAL ROCK WATER DISTRICT in the discontinuance of service and the giving of suitable assurances to the SEAL ROCK WATER DISTRICT that the action causing the discontinuance will not be repeated.

In addition to the foregoing, the SEAL ROCK WATER DISTRICT may, prior to restoration of service, install a flow-restrictive device on the customer's service.

Section 10. Variances. The Chairman of the SEAL ROCK WATER DISTRICT may in writing, grant temporary variances for prospective uses of water otherwise prohibited after determining that due to unusual circumstances to fail to grant such variance would cause an emergency condition affecting health, sanitation, or fire protection of the applicant or the public.

The BOARD OF COMMISSIONERS shall ratify or revoke any such variance or adjustment at its next scheduled meeting. Any such variance or adjustment

so ratified, may be revoked by later action of the BOARD OF COMMISSIONERS.

No such variance shall be retroactive or otherwise justify any violation of this Ordinance occurring prior to issuance of said temporary variance.

Section 11. Emergency Ordinance. This Ordinance is hereby declared to be necessary for the immediate preservation of the public peace, health, and safety and shall take effect and be in force upon its adoption by the members of the BOARD OF COMMISSIONERS. Due to severe drought conditions in the area, it is imperative that this Ordinance become effective immediately to protect existing water supplies for human consumption, sanitation, and fire protection.

Section 12. Ordinance Controlling. The provisions of this Ordinance shall prevail and control in the event of any inconsistency between this Ordinance and any other rules or regulations of the SEAL ROCK WATER DISTRICT.

Section 13. Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this Ordinance. The BOARD OF COMMISSIONERS of the SEAL ROCK WATER DISTRICT declares that it would have passed each phrase thereof, irrespective of the fact that any one or more such provisions be declared unconstitutional.

Section 14. Publication. The SECRETARY of the BOARD OF COMMISSIONERS is hereby directed to publish this Ordinance for the period and in the manner required by the ORS 198.560.

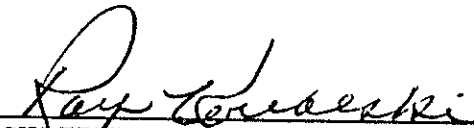
ORDERED PUBLISHED THIS 9th day of January, ~~1991~~ ¹⁹⁹².

ADOPTED THIS 9th day of January, ~~1991~~ ¹⁹⁹², (by the following vote:

AYES: 4

NOS: 0

ABSENT: 1


Ray Kowalski
CHAIRMAN, BOARD OF COMMISSIONERS

Attest: 
Bob Brown
SECRETARY, BOARD OF COMMISSIONERS