

13.08.010--13.08.020

**Chapter 13.08**

**WATER CRISES**

**Sections:**

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- 13.08.020 Water conservation measures during water crisis emergency.
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- 13.08.040 Termination or suspension of state of emergency.

**13.08.010 Water crisis emergency.** At any regular or special meeting of the city council, the mayor, with the consent of a majority of the council, may declare a water crisis state of emergency if, in the opinion of the mayor and a majority of the council, the adequacy of the water supply for the city is sufficiently endangered to create a risk of danger to the health, safety and welfare of the people of Scappoose. (Ord. 372 §1, 1977)

**13.08.020 Water conservation measures during water crisis emergency.** During a water crisis state of emergency, the following water conservation measures may be implemented by the mayor:

**A. Voluntary Measures:**

1. Restrict landscape watering to the hours between six p.m. and ten a.m. except new lawn, grass or turf that has been seeded within the ninety days prior to declaration of water shortage.
2. Alternate landscape watering depending on address.
3. Don't hose or wash sidewalks, driveways, streets, parking lots, etc., except where necessary for public health or safety.
4. Don't wash cars, boats, trailers, or other vehicles without using a shut-off nozzle.
5. Wash vehicles at commercial or fleet facilities using water-recycling equipment.
6. Provide drinking/serving water at restaurants, motels, cafeterias, or other public places where food is sold or served only when expressly requested.
7. Restrict cleaning buildings (walls or roof) to preparation for painting only.

8. Use bottled water stored in the refrigerator instead of running the tap to obtain cold water.

9. Consider installing more efficient appliances such as low water consumption stools and taking showers instead of tub baths.

**B. Mandatory Measures:**

1. Tier 1 - Serious. Flow reductions have taken place in city watersheds and the Dutch Canyon Well.

a. Prohibit lawn watering between the hours of seven a.m. and eleven p.m.

b. Require compliance with alternate day system for landscape watering.

c. Restrict hydrant permit use to those already in effect.

2. Tier 2 - Critical. A declared water crisis emergency in accordance with Chapter 13.08 of the city municipal code.

a. Prohibit watering, sprinkling, or irrigating lawns, grass, or turf unless it is a new lawn, grass or turf that has been seeded after March 1 of the calendar year in which any restrictions are implemented. In such cases, it may be watered until established.

b. Prohibit washing down, wetting down, or sweeping with water sidewalks, driveways, parking lots, open ground, or other hard surfaced areas unless:

(1) In the opinion of the city manager or delegate, there is a demonstrable need to meet public health or safety requirements including but not limited to alleviation of fire, sanitation hazards, or dust control to meet air quality requirements mandated by the Oregon Department of Environmental Quality; or

(2) Power washing of building, roofs, and homes prior to painting is for repair, remodeling or reconstruction and not solely for aesthetic purposes.

c. Prohibit washing cars, trucks, trailers, tractors, or other land vehicles or boats, or other water craft except by commercial establishments or fleet washing facilities which recycle or reuse the water in their washing processes, or by bucket and hose with a shut-off mechanism, unless the city manager or delegate finds that the public health, safety, and welfare is contingent upon frequent vehicle cleaning of solid waste transfer vehicles, vehicles that transport food and other perishables or otherwise required by law. (Ord. 724 §1, 2002: Ord. 372 §2, 1977)

**13.08.030 Emergency power of mayor during water crisis emergency.**

A. During a water crisis state of emergency, the mayor may, with the consent of a majority of the city council:

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1. Impose a rate schedule for the purchase of water supplied by the city with higher rates for higher use. Such rate schedule shall be in writing, subscribed by the mayor and city recorder-treasurer, and state the effective time and date of such rate schedule.

2. a. Impose such other water-saving measures upon the city as, in the opinion of the mayor and city council, are reasonable and necessary to protect the health, safety and welfare of the people of the city. Any such measures shall be in writing, subscribed by the mayor and city recorder-treasurer, and state the effective time and date of such measure.

b. The wilful violation of any such measure shall be a misdemeanor punishable by a fine not to exceed five hundred dollars.

B. Enforcement procedures for the above water-saving measures are as follows.

1. For Tier 1 - Mandatory Measures. The Scappoose city council, through the public works department, shall enforce any violation of the restrictions or prohibitions stated in the Tier 1 - Mandatory Measures as follows:

a. Scappoose public works department shall deliver a notice of violation to the occupant at the premises. If the occupant is not present, notice may be posted on the premises advising occupant of violation and notifying the occupant that the violation shall cease.

b. The city shall also mail a notice of violation by regular mail to the occupant at the address of the premises where the violation has occurred.

2. For Tier 2 - Mandatory Measures. City council, through the city police department, shall enforce any violation of restrictions or prohibitions stated in the Tier 2 - Mandatory Measures as follows:

a. Scappoose police department shall personally deliver a notice of violation to the occupant at the premises. If the occupant is not present, the officer may post the notice on the premises advising the occupant of the violation and warning that service may be discontinued if violations continue.

b. The city shall also mail notice of violation by regular mail to the occupant at the address of the premises where violation has occurred. If water service is discontinued, a fee may be charged to restore it.

c. If violation occurs after notice, water service may be discontinued.

d. If discontinuance of service will cause a health or safety situation to develop at the location where violation has occurred, a citation may be issued in accordance with Section 13.08.030(A) of the Scappoose Municipal Code. (Ord. 724 §1, 2002; Ord. 372 §3, 1977)

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**13.08.040 Termination or suspension of state of emergency. At any general or special meeting of the city council, the mayor, with the consent of a majority of the council, or a majority of the council, may declare the termination or suspension of a water crisis state of emergency. Any declaration of a termination or suspension of a water crisis state of emergency shall be in writing, subscribed by the mayor and the city recorder-treasurer, and shall state the effective date and time of such declaration. (Ord. 372 §4, 1977)**

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