

AN ORDINANCE ESTABLISHING A WATER CONSERVATION, DROUGHT AND EMERGENCY CONTINGENCY PLAN AND REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, ESTABLISHING THE EFFECTIVE DATE AND PRESCRIBED PENALTIES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA THAT THE MUNICIPAL CODE OF THE CITY BE AMENDED TO READ AS FOLLOWS:

Section 1. Purpose of this Plan.

1. Keep water use within pumping capacity and delivery capability, based on recommendations of the Gering Water System.
2. Define procedures to be used when water pumping and delivery capability cannot be met.
3. Familiarize citizens, businesses and industry with procedures which may be implemented when voluntary or mandatory water restrictions are required.
4. Adopt a plan for the declaration of a water supply watch, warning or emergency and the implementation of voluntary and mandatory water conservation measures throughout the City in the event such a watch, warning or emergency is declared. Said plan shall be named the CITY OF GERING WATER CONSERVATION, DROUGHT & EMERGENCY CONTINGENCY PLAN.

Section 2. Class of Uses of Water Established. The Following classes of water use are hereby established for users of water on the City water system:

Class 1 - Water used for outdoor watering; either public or private, for gardens, lawns, trees, shrubs, plants, fountains, parks, golf courses, playing fields, swimming pools or other recreational areas; or the washing of motor vehicles, trucks, boats, trailers, sidewalks, driveways, or the exterior of any building or structure.

Class 2 - Water used for any commercial or industrial, including agricultural purpose: except water actually necessary to maintain the health and personal hygiene of bona fide employees while such employees are engaged in the performance of their duties at their place of employment.

Class 3 - Domestic usage, other than that which would be included in either class 1 or 2. Water necessary only to sustain human life and the lives of domestic pets and maintain standards of hygiene and sanitation.

Section 3. Definitions:

Consumer - Consumer shall mean the customer of record using water for any purpose from the City distribution system and for which either a regular charge is made or, in the case of coin sales, a cash charge is made at the site of delivery.

Drawdown - The distance between the static water level and the pumping water level.

Plan - The plan refers to the City of Gering Water Conservation, Drought and Emergency Contingency Plan.

Pumping Water Level - The level of water in a well when the pump is pumping.

Static Water Level - The level of water in a well when the pump is not pumping.

Triggers - Significant events which indicate the implementation of the different stages of this plan.

Waste of Water - Waste of water includes but is not limited to: (1) permitting water to escape down a gutter, ditch, or other surface drain; or (2) failure to repair a controllable leak of water due to defective plumbing; or (3) as determined by the water system operator.

Water - Water shall mean water available to the City by virtue of its water introduced by the City into its water distribution system including water offered for sale at any coin-operated site.

Water System Capacity - For the purposes of this plan; water system capacity is determined by the total production of all wells in gallons per minute and the total pumping capacity of the Central Plant Pumping Station times 60 minutes in an hour times 24 hours per day.

Water System Demand - Each water meter at the Central Plant Pumping Station shall be read daily. Daily consumption is calculated by subtracting the each water meters previous day reading from the current day and added together.

Wellfield Capacity - Each wells water meter shall be read daily. The wellfield capacity is determined by total production of all wells in gallons per minute times 60 minutes in an hour times 24 hours per day.

Section 4. Water Plan Established. In order to assure the continued supply of safe drinking water to the citizens of Gering, the City Council adopts the following plan addressing conservation, drought and emergency contingencies. The plan is based upon demand on the system and implements a series of stages depending upon the severity of the demand.

STAGE 1: WATER WATCH

Triggers. This stage is triggered by any of the following conditions:

1. When the calculated water system demand equals 60 percent of the calculated water system capacity for three consecutive days.
2. When the wellfield supply is reduced to less than 75 percent of total pumping capacity.
3. When the drawdown of the wells is more than normal for that time of the year as determined by the water operator.
4. When the system storage reservoirs cannot be filled to 90 percent of capacity by 2:00 a.m. each morning.
5. When the City Administrator or Director of Public Works deems it appropriate, using best professional judgment and considering weather conditions, weather forecasts, river flow conditions and water system operations.

Goals

The goals of this stage are to heighten awareness of all consumers on water conditions and to maintain the integrity of the water supply system and to reduce overall weekly consumption by 10%.

Education Actions

1. The City may make occasional news releases to the local media, as well as posting at City Hall, describing present conditions and indicating the regulatory action.
2. The triggers necessitating the STAGE 1: WATER WATCH may also be made available to the News Media along with an explanation of terms.

Management Action

1. The City will ascertain that each well is operating at peak efficiency.
2. Leaks detected will be repaired within 48 hours.
3. The City shall curtail weekly use of Class I uses by 10%.

Regulatory Action

The consumers may be asked to voluntary reduce the use of water as defined in Class 1.

Declaration of a Water Watch.

Whenever the City Administrator or Director of Public Works finds that conditions exist as described in the plan under Stage 1: Water Watch triggers. The City Administrator or Public Works Director shall declare a Stage 1: Water Watch, and implement the steps outlined under this section. The implementation declaring the existence and end of a Stage 1: Water Watch shall be effective upon issuing of news releases and posting at City Hall.

Termination of a Water Watch.

The City Administrator or Director of Public Works shall declare the end of a Stage 1: Water Watch.

STAGE 2: WATER WARNING

Triggers. This stage is triggered by any of the following conditions:

1. When the calculated water system demand equals 70 percent of the calculated water system capacity for three consecutive days.
2. When the wellfield supply is reduced to less than 70 percent of total pumping capacity.
3. When the drawdown of the wells increases significantly over and above the level determined in STAGE 1.
4. When the system storage reservoirs cannot be filled to 85 percent of capacity by 2:00 a.m. each morning.
5. When the City Administrator or Director of Public Works deems it appropriate, using best professional judgment and considering weather conditions, weather forecasts, river flow conditions and water system operations.

Goals

The goal of this stage is to reduce overall weekly consumption by 20%.

Education Actions

1. The City may make weekly news releases to the local media and by posting, describing present conditions and projecting the outlook for the coming week.
2. The triggers necessitating the STAGE 2: WATER WARNING may also be made available to the consumers through news releases and posting at City hall along with an explanation of terms.

3. Water conservation articles may be provided to the local newspaper and posted at City Hall.

Management Actions

1. The City will continue to monitor water supplies on a daily basis.
2. Leaks shall be repaired within 48 hours or a violation notice shall be issued.
3. The City shall curtail weekly use of Class I by 15%.
4. The City may terminate its usage of water classified in Class I and Class 2.

Regulation Action

1. Water classified as Class 1 shall be terminated except as follows:
 - A. An odd/even lawn watering system will be imposed on all City residential, commercial and industrial users. Consumers with odd numbered address will water on odd days; even address will water on even days. E.g. 1025 P Street will water on odd numbered days and 1020 P Street will water on even numbered days.
 - B. Outdoor water use, including lawn watering and home car washing will be restricted to before 11:00 a.m. and after 6:00 p.m.
 - C. Waste of water is strictly prohibited.

Declaration of a Water Warning.

Whenever the governing body of the City finds that conditions exist as described in this plan under Stage 2: Water Warning, triggers, it shall be empowered to declare, by resolution, that a Stage 2: Water Warning exists and implement the steps outlined under this plan. The resolution declaring the existence of a Stage 2: Water Warning shall be effective upon news release and/or posting at City Hall. In the event of a partial system failure, or natural disaster the City Administrator or Director of Public Works shall have the authority to declare a Stage 2: Water Warning. As soon as practical the City Council shall declare, by resolution, that a Stage 2: Water Warning exists.

Termination of a Water Warning.

The City Administrator or Director of Public Works shall declare the end of a Stage 2: Water Warning.

STAGE 3: WATER EMERGENCY

Triggers. This stage is triggered by any one of the following conditions:

1. When the calculated water system demand equals 80 percent of the calculated water system capacity for three consecutive days.
2. When the wellfield supply is reduced to less than 65 percent of total pumping capacity.
3. When the draw down of the wells increases significantly over and above the level determined in STAGE 2.
4. When the system storage reservoirs cannot be filled to 80 percent of capacity by 2:00 a.m. each morning.
5. When the City Administrator or Director of Public Works deems it appropriate, using best professional judgment and considering weather conditions, weather forecasts, river flow conditions and water system operations.

Goals

The goals of this stage are to reduce the overall weekly consumption by a minimum of 50% and maintain the integrity of the system.

Education Actions

1. The City may make weekly news releases to the local media and by posting, describing present conditions and projecting the outlook for the coming week.
2. The triggers necessitating the STAGE 3: WATER EMERGENCY may also be made available to the public through news releases and posting at City Hall along with an explanation of terms.
3. Water conservation articles may be provided to the local newspaper and posted.
4. The City may conduct public meetings to discuss the emergency; the status of the City water supply and further actions, which may needed to be taken.

Management Actions

1. The City water supplies shall be monitored daily.
2. Leaks shall be repaired within 24 hours.
3. The City may seek additional emergency supplies from other sources.

Regulation Actions

1. Uses of water in Class 1 and Class 2 are prohibited.
2. Waste of water shall be prohibited.

Declaration of a Water Emergency.

Whenever the governing body of the City finds that conditions exist as described in this plan under Stage 3: Water Emergency, triggers, it shall be empowered to declare, by resolution, that a Stage 3: Water Emergency exists and implement the steps outlined under this plan. The resolution declaring the existence of a Stage 3: Water Emergency shall be effective upon news release and/or posting at City Hall. In the event of a system failure, or natural disaster the City Administrator or Director of Public Works shall have the authority to declare a Stage 3: Water Emergency. As soon as practical the City Council shall declare, by resolution, that a Stage 3: Water Emergency exists.

Termination of a Water Emergency.

The City Administrator or Director of Public Works shall declare the end of a Stage 3: Water Emergency.

Section 5. Administrative Enforcement Provisions.

1. **Turning off Water for Failure to Observe Restrictions** - The City of Gering may turn off the water supplied to the consumer who, after having been notified of the imposition of such water restrictions on the use of water, disregards such restrictions, and such supply of water shall not again be turned on until the cost for turning the water off and turning the water on has been paid to the City of Gering.
2. **Warning** - The City Administrator or Director of Public Works or his agent can issue a written warning to any consumer violating Stage 2: Water Warning and Stage 3: Water Emergency. Such warning shall advise the consumer that a seconded violation at the same premise within a 6-month period shall result in the termination of water service to the premise as described in Section 5.2.
3. **Notice of Termination of Service** —The City Administrator Director of Public Works or his agent shall issue a written Notice of Termination of Service to any consumer violating Stage 2: Water Warning and Stage 3: Water Emergency for failure to observe restrictions and after the consumer was previously issued a warning.

Section 6. Emergency Termination

Nothing in this ordinance shall limit the ability of the City Administrator or Director of Public Works from terminating the supply of water to any or all consumer's upon the determination of said officials that emergency termination of water service is required to protect the health and safety of the public.

Section 7. Violation; Penalty.

Any consumer who shall violate or refuse to comply with any of the provisions of this ordinance shall be deemed guilty of an offense and upon conviction thereof, shall be fined not more than two hundred fifty dollars (\$250.00) for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.

Section 8. Exemptions by Permit.

For Stage 2: Water Warning only, customers may apply for and be granted permits for:

1. New turf sod application for up to four (4) weeks.
2. New grass seed application for up to four (4) weeks. However the City strongly discourages planting new grass seed between July 1st and August 15th.
3. Commercial nurseries are exempt from Stage 2: Water Warning, but are requested to curtail all non-essential out door water use.
4. Landscape in large common or public areas that, because of irrigation system limitations, cannot be sustained by following mandatory drought restrictions in this Ordinance.
5. Golf Course greens.
6. The City does not have the authority to regulate the use of private wells. An exemption permit is not needed for the use of private wells. The City strongly recommends private well users follow the requirements of the above Ordinance.

Section 9. Severability.

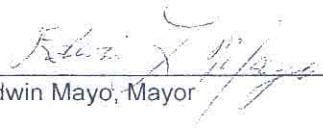
All ordinances and parts of ordinances in conflict herewith are hereby repealed. Should any portion of this ordinance be deemed unlawful for any reason, by a court of competent jurisdiction, the remainder of said ordinance shall not be affected thereby and shall remain in full force and effect.

Section 10. Effective Date.

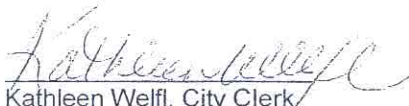
This ordinance shall take effect and be in full force from and after its passage, approval and posting according to law.

PASSED AND APPROVED this 11 day of March, 2013

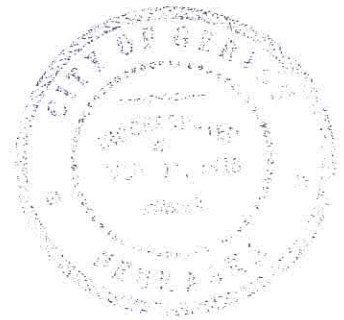
ATTEST:



Edwin Mayo, Mayor



Kathleen Welfl, City Clerk



City of Gering

Permit for Lawn Watering During Water Restrictions

Date _____

Name of Applicant: _____

Address of Applicant: _____

Address Requesting Permit: _____

Account Number: _____

Home Phone: _____ Work Phone: _____

Reason for Variance: *(Please circle one only)*

New Lawn Sod

New Lawn Seed

Large Irrigation

Comments: _____

Square Footage of Lawn: _____

For large irrigation only

Maintenance Contractor: _____

Maintenance Contractor Phone Number: _____

Approval: _____

Date Issued: _____ Date Expired: _____

This application shall be presented in person to the City of Gering Utility office at 1025 P Street between 7:30 am to 4:30 pm. For questions please call 436-6800.