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Earl Lewis, Acting Director

Laura Kelly, Governor

February 21, 2019

David Buehler
City of Ottawa
101 S Hickory
Ottawa, KS 66067

Dear Mr. Buehler:

Thank you for your patience and cooperation in working with us on the municipal water conservation plan and water drought/emergency ordinance for the City of Ottawa.

The Kansas Water Office has reviewed your municipal water conservation plan as adopted by the City of Ottawa; submitted to us; and received on February 20, 2019. It appears that the plan is consistent with the current Kansas Water Office Guidelines for municipal water conservation plans. I recommend that your water conservation plan be hereby approved (copy enclosed).

The Water Drought/Emergency Ordinance (Ordinance No. 3705-08) as adopted by the governing body of the City of Ottawa on September 17, 2008, appears to be adequate to carry out the implementation of your municipal water conservation plan (copy enclosed).

Please note that it is the city's responsibility to maintain baseline storage capacities, seasonal water levels, depth to well screen, and any other data used in defining drought response triggers levels.

Sincerely,

Diane Knowles
Environmental Scientist

Approved by:

Ginger Pugh, Professional Engineer
Kansas Department of Agriculture
Division of Water Resources

Date: 02-20-19

Enclosures

cc: Linda White, Kansas Department of Health and Environment
Elmer Ronnebaum, Kansas Rural Water Association
David W. Barfield, Division of Water Resources



MUNICIPAL WATER
CONSERVATION PLAN
FOR THE
CITY OF OTTAWA

Municipal Water Conservation Plan For the City of Ottawa

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INTRODUCTION

The primary objectives of the Water Conservation Plan for the City of Ottawa are to develop long-term water conservation plans (Long-Term Water Use Efficiency Section) and short-term water emergency plans (Drought Response Section) to assure the City customers of an adequate water supply to meet their needs. The efficient use of water also has the beneficial effect of limiting or postponing Water Treatment Plant expansion and thus limiting or postponing the resultant increases in costs, in addition to conserving the limited water resources of the State of Kansas.

The City of Ottawa has undertaken a number of steps to ensure a dependable water supply for our customers during the past 35 years. The City's water supply is surface water drawn from the Marais des Cygnes River. Pomona and Melvern Reservoirs are the major storage reservoirs upstream from Ottawa. Ottawa's treatment plant is rated at 5.58 million gallons per day. Maximum day usage was 3.804 million gallons on July 24, 2001. Average daily usage is approximately 1.6 million gallons. Ottawa has water rights and water assurance of 896.741million gallons per year. Treated water storage facilities consist of one 1,200,000 gallon underground reservoir, one 750,000 gallon and two 400,000 gallon elevated tanks. Our City water supply and distribution system have ample capacity to meet current customer demands and future projected demands for several years, except during drought periods. The City of Ottawa believes that our Municipal Water Conservation Plan represents an additional major step in ensuring our customers of a dependable water supply in future years.

Conservation Plan Goals

The following conservation goals are recommended to insure adequate quantities of high quality water for the consumers of the City of Ottawa.

- Maintain an adequate supply of water for essential personal, commercial, and industrial needs, as well as sufficient supply for firefighting.
- Extend the availability of storage in Pomona and Melvern Reservoirs during a drought through reduced usage.
- Maintain non-metered water use at less than 15 percent of total production.
- Reduce usage during drought situations by 10 percent.
- Educate the water consumers of the need to eliminate the waste of water, reduce water use during drought conditions and methods to conserve water.

LONG-TERM WATER USE EFFICIENCY

Water Use Conservation Goals

The City of Ottawa used 99 gallons per person per day (GPCD) in 2015. This GPCD figure included:

Water sold to residential/commercial customers;
Water distributed for free public services (parks, cemeteries, swimming pools etc.); and
Water lost by leaks in the water distribution system.

However, the GPCD figure does not include municipally supplied water for industries that use over 200,000 gallons per year. According to the publication Public-Supply Water Use in Kansas, 2015, our City is located in Region 8L. From this publication it was determined that our City GPCD water use was 99, which was 10 percent below the regional average of 110 GPCD among public water suppliers in Region 8L during 2015. The City desires to set a water use conservation goal for usage not to exceed 99 GPCD. Our City anticipates not exceeding this goal by carrying out the specific actions that are outlined in our plan.

Water Conservation Practices

This subsection of the plan summarizes the current education, management and regulation efforts that relate to the long-term conservation of water in the City. Specific practices that will be undertaken to conserve water are listed and a target date to begin each practice is also shown.

Education

The City of Ottawa's current billing system cannot show gallons of water used during the billing period but does include a multiplier to calculate gallons. The City has made tours of the treatment plant and conservation literature available to any groups or organizations requesting them.

The City has chosen the following conservation practices and target dates for the Education Component of the Long-Term Water Use Efficiency Section of our Water Conservation Plan.

Education Conservation Practices to be Taken	Target Date
1. Water bills will show the amount of water used in gallons and the cost of the water.	2022
2. Water conservation tips will be provided with the monthly water bills during the summer months.	Implemented

Management

The City of Ottawa has water meters on all water supplies and water pumped to the distribution system. Any new supply will have an individual meter on each source of supply. These meters are read daily.

The City of Ottawa completed an initial change out of all water meters in 1991. Since then approximately 98% of all meters had been replaced by 2007. In 2016 a multiyear project to install AMI meters began. All connections are metered although some are not billed (swimming pool, recreation, etc.). Customer meters are checked for accuracy upon receiving a request from the customer or meter readers. Meters exceeding 3% plus or minus accuracy are replaced.

The City of Ottawa reads each customer's water meter and mails a monthly water bill to each customer.

Water leaks in the distribution system are repaired when a City employee or customers report significant leaks from water mains. System pressure is continually recorded at the treatment plant.

The water rate structure for the City was passed in 2015 with fixed demand charges based on meter size and a stepped water rate increase plan as follows. Reevaluation of the rate structure is scheduled for 2019.

DEMAND CHARGE

WATER METER SIZE	2016	2017	2018
5 / 8 inch	3.34	3.51	3.69
3 / 4 inch	4.01	4.21	4.42
1 inch	6.69	7.02	7.37
1 - 1 / 2 inch	11.36	11.93	12.53

STEP RATE

STEP	2016	2017	2018
First 1 CCF	12.37	12.99	13.64
Next 11 CCF/CCF	2.07	2.18	2.28
All over 12 CCF/CCF	1.24	1.31	1.37

The City of Ottawa realizes that much greater emphasis must be placed on obtaining accurate measurement of water use at our source and at customer meters and that a water use records system must be developed that can be used to more effectively and efficiently manage the City public water distribution system. For that reason, the City of Ottawa has chosen the following conservation practices and target dates for the Management component of the Long-Term Water Use Efficiency Section of our Water Conservation Plan.

Management Conservation Practices to be Taken	Target Date
1. All source water will have meters installed and the meters will be repaired or replaced within two weeks when malfunctions occur.	Implemented
2. Meters for source water will be tested for accuracy at least once every three years. Each meter will be repaired or replaced if its test measurements are not within industry standards (such as AWWA standards).	Implemented
3. Meters will be installed at all residential service connections and at all other service connections whose annual water use may exceed 300,000 gallons (excluding fire lines), including separate meters for municipally operated irrigation systems which irrigate more than one acre of turf.	Implemented
4. All meters for source water will be read at least on a monthly basis and meters at individual service connections will be read at least once every two months.	Implemented
5. A reading will be taken at each source water meter at the same time that meters for individual service connections are read.	Implemented
6. A water utility will implement a water management review, which will result in a specified change in water management practices or implementation of a leak detection and repair program or plan, whenever the amount of unsold water (amount of water provided free for public service, used for treatment purposes, water loss, etc.) exceeds 20 percent of the total source water for a four month time period.	Implemented
7. Water sales will be based on the amount of water used.	Implemented
8. A water rate structure designed to curb excessive use of water will be evaluated.	2020

Regulation

The City of Ottawa does not have any water conservation regulations in effect at the present time. Because of our ability to supply water during normal periods, regulatory controls on water use are included only in the Drought Response section of this plan and water drought/emergency ordinance where they constitute the primary means for conserving water during a supply shortage.

The City of Ottawa has adopted the International Plumbing Code. The code regulates maximum flow rates for water fixtures and fittings.

Regulation Actions to be Taken	Target Date
1. All new or renovated construction will install toilets that use 1.6 gallons per flush or less and low flow showerheads that use 2.5 gallons per minute or less.	Implemented

DROUGHT RESPONSE

The City of Ottawa addresses its short-term water shortage problems through a series of stages based on conditions of supply and demand with accompanying triggers, goals and actions. Each stage is more stringent in water use than the previous stage since water supply conditions are more deteriorated. Rates and penalties for these stages are to be as provided by City Commission approved ordinance. The Director of Utilities is authorized by ordinance to implement the appropriate conservation measures.

As a member of the Marias des Cygnes Rivers Water Assurance District No. 2, the City of Ottawa must consider and implement certain drought response measures. The Assurance District is in place to allow coordinated operation of the state controlled water storage in Melvern, Pomona and Hillsdale lakes. Marias des Cygnes Rivers Water Assurance District No. 2 Resolution 2018-1 (Appendix A) was adopted May 2, 2018 as procedures and guidelines pertaining to Drought Stage 1 Water Watch, Drought Stage 2 Water Warning, and Drought Stage 3 Water Emergency in each member’s water conservation plan. The Assurance District may designate drought stages requiring members to implement certain actions as noted in each stage.

Stage 1: Water Watch

Goals

The goals of this stage are to heighten awareness of the public on water conditions and to maintain the integrity of the water supply system.

Triggers

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

1. The Marais des Cygnes River Water Assurance District No. 2 has issued a Stage 1 Water Watch;
2. Daily demand is in excess of 2.85 million gallons per day for 3 consecutive days.

Requirements for Termination of Stage 1 Water Watch:

Stage 1 shall terminate when the condition listed as the triggering event has ceased to exist for a period of five consecutive days.

Education Actions

1. As conditions warrant the City will make news releases to the local media describing present conditions and indicating the water conditions and indicating the water supply outlook for the upcoming season.
2. Water-saving tips will be included in billings to water utility customers.
3. Previous month summaries of precipitation, temperature, water levels and storage will be made public at the beginning of each month.

Management Actions

1. Leaks will be repaired within 48 hours of detection.
2. The City will monitor its use of water and will curtail nonessential activities.
3. Use of water from fire hydrants shall be limited to fire fighting, related activities, and/or other activities necessary to maintain the health, safety and welfare of the citizens of Ottawa. Water for street sweeping shall only be allowed to the extent necessary for maintaining the health, safety and welfare of the citizens of Ottawa.

Regulation Actions

1. Employ voluntary water conservation measures by reducing the use of water.
2. Voluntarily implement even/odd day watering for exterior use.
3. Limit nonessential water use and eliminate the waste of water.

Stage 2: Water Warning

Goals

The goals of this stage are to reduce peak demands by 20 percent and to reduce overall weekly consumption by 10 percent.

Triggers

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

1. The Marais des Cygnes River Water Assurance District No. 2 has issued a Stage 2 Water Warning;
2. Daily demand is in excess of 3.2 million gallons per day for 3 consecutive days;

Requirements for Termination of Stage 2 Water Warning:

Stage 2 shall terminate when all of the conditions listed as triggering events have ceased to exist for a period of five consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Education Actions

1. The City will make weekly news releases describing the present conditions and outlook for the upcoming week.
2. Water conservation articles will be provided to local news media.
3. Previous week summaries of precipitation, temperature, water levels and storage will be made public at the beginning of each week.
4. Water-saving tips will be included in billings to water utility customers.

Management Actions

1. The City water supplies will be monitored daily.
2. Leaks will be repaired within 24 hours of detection.
3. The City will curtail its water usage, including operation of fountains, watering of City grounds and washing of vehicles.

Regulation Actions

1. An even/odd outdoor watering system will be mandatory. Residents and businesses with even numbered addresses may irrigate on even numbered days. Those with odd numbered addresses may irrigate on odd number days prior to 10:00 am and after 6:00 pm.
2. Washing of automobiles, trucks, trailer, boats, airplanes, and other types of mobile equipment is allowed only on designated irrigation days prior to 10:00 am and after 6:00 pm. Washing of mobile equipment may be done any time on the immediate premises of a commercial car wash.
3. The sprinkling of foundations is allowed only on designated irrigation days between midnight and noon.
4. The operation of any ornamental fountain or other structure making similar use of water is prohibited, except for those fountain/structures with a recycling system. The uses of treated water to fill, refill, or maintain the level of any fountain is prohibited.
5. The waste of water (excess runoff, known significant leaks, overfilling, overuse, etc.) is absolutely prohibited.

Stage 3: Water Emergency

Goals

The goals of this stage are to reduce peak demands by 50 percent and to reduce overall weekly consumption by 25 percent.

Triggers:

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

1. The Marais des Cygnes Rivers Water Assurance District No. 2 has issued a Stage 3 Water Emergency;
2. Equipment or system failures which cause unprecedented loss of capability to provide services;
3. Daily demand is in excess of 3.8 million gallons per day for two consecutive days;
4. Emergency conditions related to repairs or water quality.

Requirements for Termination of Stage 3 Water Emergency

Stage 3 shall be terminated when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Education Actions

1. The City will make news releases to the local media describing present conditions and indicating the water supply outlook.
2. Summaries of precipitation, temperature, water levels and storage will be made public as conditions warrant.
3. The City will hold public meetings to discuss the emergency, the status of the City water supply and further actions, which need to be taken.

Management Actions

1. The City water supplies will be monitored daily.
2. Leaks will be repaired within 12 hours of detection.
3. Use of water from fire hydrants shall be limited to fire fighting, related activities, and/or other activities necessary to maintain the health, safety, and welfare of the citizens of Ottawa, Water for street sweeping shall only be allowed to the extent necessary for maintaining the health, safety and welfare of the citizens of Ottawa.
5. The City will seek additional emergency supplies from other users, the state or the federal government.

Regulation Actions

1. Outdoor water use will be prohibited.
2. Waste of water will be prohibited.
3. New connections to the City's distribution system will not be allowed except those agreements for individual service connections entered into by the City prior to the effective date of the declaration of water emergency.

PLAN REVISION, MONITORING & EVALUATION

The City of Ottawa will establish a monthly management practice of reviewing monthly totals for water production, residential/commercial sales, water provided free-of-charge, and “unaccounted for water”. Problems noted during the monthly review will be solved as soon as possible.

The City of Ottawa Municipal Water Conservation Plan will be reviewed during the month of April each year and on a more frequent basis during drought or other water shortage conditions. If the water conservation GPCD goals for the previous year are not met, then the City will review the data collected from the previous year in relationship to the status and effectiveness of the conservation practices that are outlined in our plan and will provide a status report to the Division of Water Resources which will also include any additional water conservation practices that may need to be taken in order for the city to achieve and maintain its water use conservation GPCD goals.

APPENDIX A

Marais Des Cygnes Rivers Water Assurance District No. 2 Resolution No. 2018 – 1

Whereas, the Board of Directors (“Board”) has determined in meetings with membership-at-large that inconsistencies exist between the member’s Water Conservation Plans.

Whereas, the Board has determined that it should take a more active participation, cooperating with the Kansas Water Office and the membership-at-large, in determining how to prolong assurance water storage during drought conditions, and

Whereas, the Board has determined in meetings with the membership-at-large that it is desirable to adopt procedures and guidelines to follow during drought conditions in order to make appropriate decisions relating to *Drought Stage 1 Water Watch*, *Drought Stage 2 Water Warning*, and *Drought Stage 3 Water Emergency* conditions, and

Whereas, the Board has determined that such procedures and guidelines shall only be implemented upon the agreement of four of the board directors voting-in-person at a duly called meeting of the Board in the affirmative, and

Whereas, the Board has determined that such procedures and guidelines previously implemented can only be rescinded upon the agreement of four of the board directors voting-in-person at a duly called meeting of the Board in the affirmative,

NOW THEREFORE, be it resolved that pursuant to action by the Board of Directors, duly constituted, in lawful meeting pursuant to the bylaws of the Marais des Cygnes Rivers Water Assurance District No. 2 (“District”) that the following guideline be adopted:

I. Drought Stage 1 Water Watch

- A. Drought operations of the District may consider the following:
 1. Advice from the Kansas Water Office
 2. Declaration of drought condition by the governor
 3. Implementation of the following Methodology for Stage 1 Water Watch
 - a. The National Weather Service, Climate Prediction Center, forecasts *The Three-Month Outlook Temperature Probability*ⁱ is for above-normal temperatures,
 - b. The National Weather Service, Climate Prediction Center, forecasts *The Three-Month Outlook Precipitation Probability*ⁱ is for below-normal precipitation,
 - c. A trend has been established by the Kansas Water Office, Marais des Cygnes River Basin, Water Quality Storage capacity accountingⁱⁱ where the capacities of Melvern and Pomona Lakes have fallen below 70% during a three-month period of record,
 - d. A trend has been established by the Kansas Water Office, Marais des Cygnes River Basin, Municipal Assurance Storage capacity accountingⁱⁱ where the capacities of Melvern and Pomona Lakes have fallen below 90% during a three-month period of record.

- B. Upon drought operations and the Board of Director’s designation of a ***Drought Stage 1 Water Watch*** each and every member of the assurance district is **encouraged** to implement the Stage 1 Water Watch regulatory actions of that members’ water conservation plan.

II. Drought Stage 2 Water Warning

- A. Drought operations of the District may consider the following:
 - 1. Advice from the Kansas Water Office
 - 2. Declaration of drought condition by the governor
 - 3. Implementation of the following Methodology for Stage 2 Water Warning
 - a. The National Weather Service, Climate Prediction Center, forecasts *The Three-Month Outlook Temperature Probability*ⁱ is for above-normal temperatures for two consecutive three-month periods,
 - b. The National Weather Service, Climate Prediction Center, forecasts *The Three-Month Outlook Precipitation Probability*ⁱ is for below-normal precipitation for two consecutive three-month periods,
 - c. A trend has been established by the Kansas Water Office, Marais des Cygnes River Basin, Water Quality Storage capacity accountingⁱⁱ where the capacities of Melvern and Pomona Lakes have fallen below 50% during a three-month period of record,
 - d. A trend has been established by the Kansas Water Office, Marais des Cygnes River Basin, Municipal Assurance Storage capacity accountingⁱⁱ where the capacities of Melvern and Pomona Lakes have fallen below 70% during a three-month period of record.
- B. Upon drought operations and the Board of Director’s designation of a ***Drought Stage 2 Water Warning*** each and every member of the assurance district **shall** implement the Stage 2 Water Warning regulatory actions listed below.
 - 1. An odd/even outdoor watering system will be imposed on member’s residents and businesses. Residents and businesses with odd-numbered addresses will be allowed to use outdoor water on odd days; even addresses will be allowed to use outdoor water on even days prior to 10 am and after 6 pm.
 - 2. Waste of water (excess runoff, known significant leaks, overfilling, overuse, etc.) by residents and business will be minimized by member.

III. Drought Stage 3 Water Emergency


- A. Drought operations of the District may consider the following:
 - 1. Advice from the Kansas Water Office
 - 2. Declaration of drought condition by the governor
 - 3. Implementation of the following Methodology for Stage 3 Water Emergency
 - a. The National Weather Service, Climate Prediction Center, forecasts *The Three-Month Outlook Temperature Probability*ⁱ is for above-normal temperatures for two consecutive three-month periods,
 - b. The National Weather Service, Climate Prediction Center, forecasts *The Three-Month Outlook Precipitation Probability*ⁱ is for below-normal precipitation for two consecutive three-month periods,

- c. A trend has been established by the Kansas Water Office, Marais des Cygnes River Basin, Water Quality Storage capacity accounting ⁱⁱ where the capacities of Melvern and Pomona Lakes have fallen below 30% during a three-month period of record,
 - d. A trend has been established by the Kansas Water Office, Marais des Cygnes River Basin, Municipal Assurance Storage capacity accounting ⁱⁱ where the capacities of Melvern and Pomona Lakes have fallen below 50% during a three-month period of record.
- B. Upon drought operations and the Board of Director’s designation of a **Drought Stage 3 Water Emergency** each and every member of the assurance district **shall** implement Stage 3 Water Emergency regulatory actions listed below,
- 1. Outdoor water use will be prohibited by member.
 - 2. Waste of water (excess runoff, known significant leaks, overfilling, overuse, etc.) by residents and business will be prohibited by member.


IV. Implementation

- A. The Board of Directors may, upon due consideration of the circumstances, waive implementation of **Drought Stage 2 Water Warning** and **Drought Stage 3 Water Emergency** provisions and institute less severe measures as they deem appropriate,
- B. Failure by a member to fully implement the provisions of the **Drought Stage 2 Water Warning** and **Drought Stage 3 Water Emergency** provisions **shall** result in that member losing its right to divert assurance water in the Marais des Cygnes River.
- C. When the conditions for consideration of designation of a drought stage have ceased to exist, the Board of Director’s may rescind the drought stage designation.
- D. All terms are as defined in the Marais des Cygnes River Water Assurance Operations Agreement.

Adopted this 2nd day of MAY, 2018.



 Paul M. Ling, President

Attest:


 David Buehler, Secretary/Treasurer

ⁱ <http://www.cpc.ncep.noaa.gov/products/forecasts/>

ⁱⁱ <http://www.kwo.org/>

WATER DROUGHT/EMERGENCY ORDINANCE

Ordinance No. 3705-08

AN ORDINANCE authorizing the declaration of one of three progressive stages of a water supply conservation and / or water supply shortage which shall conserve or curtail the use of water within the City of Ottawa ("the City"); establishing three stages of water conservation measures for the City; a water watch, warning or emergency; establishing procedures and voluntary and mandatory conservation measures; authorizing the issuance of administrative regulations; and prescribing certain penalties.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS.

Section 1. Purpose.

The purpose of this ordinance is to provide for a progressive water supply conservation program, including 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 by the governing body of the City.

Section 2. Definitions.

- (a) "Water", as used in this ordinance, shall mean water available to the City of Ottawa for treatment by virtue of the City's water rights, water supply, water supply contracts or any treated water introduced by the City into its water distribution system, including water offered for sale at any coin-operated site.
- (b) "Customer", as used in this ordinance, shall mean the customer of record using water for any purpose from the City's water 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.
- (c) "Waste of water", as used in this ordinance, includes, but is not limited to:
 - (1) permitting water to escape down a, street, roadway or other surface intended for vehicle driving purposes, and / or any gutter, ditch, or other surface drain; or
 - (2) failure to repair a controllable leak of water due to defective plumbing.
- (d) The following classes of uses of water are established for the purposes of this ordinance:

Class 1:

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

Class 2:

Water used for any commercial, agricultural or industrial purposes, except water actually necessary to maintain the health and personal hygiene of bona fide employees of such businesses or interests 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.

Class 4:

Water necessary only to sustain human life and the lives of domestic livestock pets and maintain standards of hygiene and sanitation.

Section 3. In the event that the governing body of the City or the City's designated official determines that the City's water supply may be in subject to a shortage in supply or the governing body of the City determines there is need for conservation of City's water resources for any reason, the City may begin the progressive three (3) stage water conservation program by declaring a water watch as described in section 3(a) or, in times of need and / or duress, the governing body of the City may choose to declare any section of the program described in section 3 in effect at any time:

(a) Stage 1: Declaration of Water Watch. Whenever the governing body of the City finds that conditions indicate that the probability of a drought or some other condition causing a major water supply shortage is rising, it shall be empowered to declare, by resolution, that a water watch exists and that it shall take steps to inform the public and ask for voluntary reductions in water use. Such a watch shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water watch shall be effective upon their publication in the official city newspaper.

(b). Stage 2: Declaration of Water Warning. Whenever the governing body of the City finds that drought conditions or some other condition causing a major water supply shortage are present and supplies are starting to decline, it shall be empowered to declare by resolution that a water warning exists and that it will impose restrictions on nonessential uses during the period of warning. Such a warning shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the beginning and ending of the water warning shall be effective upon their publication in the official city newspaper.

(c). Stage 3: Declaration of Water Emergency. Whenever the governing body of the City finds that an emergency exists by reason of a shortage of water supply needed for essential uses, it shall be empowered to declare by resolution that a water supply emergency exists and that it will impose mandatory restrictions on water use during the period of the emergency. Such an emergency shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water supply emergency shall be effective upon their publication in the official city newspaper.

Section 4. Voluntary Conservation Measures.

Upon the declaration of a water watch or water warning as provided in Sections 3(a) or 3(b), the Director of Utilities is authorized to call on all water consumers to employ voluntary water conservation measures to limit or eliminate nonessential water uses including, but not limited to, limitations on the following uses:

- (a) Class 1 uses of water.
- (b) Waste of water.

Section 5. Mandatory Conservation Measures.

Upon the declaration of a water watch or water warning as provided in Sections 3(a) or 3(b), the Director of Utilities is also authorized to implement certain mandatory water conservation measures, including, but not limited to, the following conservation measures:

- (a) Suspension of new connections to the City's water distribution system, except

- connections of fire hydrants and those made pursuant to agreements entered into by the City prior to the effective date of the declaration of the emergency;
- (b) Restrictions on the uses of water in one or more classes of water use as described in section 2(d), wholly or in part;
 - (c) Restrictions on the sales of water at coin-operated facilities or sites;
 - (d) The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per consumer restrictions;
 - (e) Complete or partial bans on the waste of water; and
 - (f) Any combination of the measures in sections 5(a-e) as the governing body of the City or authorized city official may deem appropriate and / or necessary.

Section 6. Emergency Water Rates.

Upon the declaration of a water warning or water emergency as provided in Sections 3(b) or 3(c), the Director of Utilities shall have the power to implement emergency water rates by ordinance designed to conserve water supplies. Such emergency rates may provide for, but are not limited to extra charges in excess of a specified level of water use (excess demand surcharge).

Water Warning Rate

The emergency rate will be 50 percent above the rate in effect for all consumption higher than the consumer's baseline consumption. Baseline consumption is an amount that is 1.25 times the average of the consumer's monthly water bills for the months of the previous November, December, January and February.

Consumers who do not exceed their baseline amount would be billed at their regular rate. Consumers who exceed their baseline rate would pay their regular rate for the baseline amount, and 50 percent above their normal rate for all consumption higher than the baseline amount.

Water Emergency Rates

The emergency rate will be 100 percent above the rate in effect for all consumption higher than the consumer's baseline consumption.

Consumers who do not exceed their baseline amount would be billed at their regular rate. Consumers who exceed their baseline rate would pay their regular rate for the baseline amount, and 100 percent above their normal rate for all consumption higher than the baseline amount.

Section 7. Regulations.

During the effective period of any water supply warning as provided for in Section 3(b) or any water supply emergency as provided for in Section 3(c), the Mayor, City Manager, Director of Utilities or other authorized city official is empowered to promulgate such regulations as may be necessary to carry out the provisions of this ordinance, any water supply emergency resolution, or emergency water rate ordinance. Such regulations shall be subject to the approval of the governing body at its next regular or special meeting.

Section 8. Enforcement

The ordinance authorizes the City Manager and other employees to enforce the provisions of the ordinance. Enforcement will be made in the following manner.

A. First Violation. Any consumer who violates any provisions of the Water Conservation Ordinance shall be issued a written notice of the violation. The written notice shall be affixed to the property where the violation occurred and mailed to the consumer of record and to or other person known to the City who is responsible for the violation and its correction. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within such specified time as the City determines is reasonable under the circumstances. Failure to

receive such a notice shall not invalidate further actions by the City. If the order is not complied with, the City may terminate water service to the customer. If water service is terminated, a charge for disconnection and restoration of service shall be made. The cost will be the existing normal charge for terminating and restoring service plus the appropriate amount listed below:

Residential: \$50.00

Commercial/Industrial: An amount equal to 100 percent of the average monthly water bill for the previous 12 months.

B. Second and Subsequent Violations. In the event of additional violations, the City will terminate water service to the consumer and charge for the termination and restoring service will be made. The cost will be the existing normal charge for terminating and restoring service plus:

For Second Violation - The highest of \$200.00 or

An amount equal to 200 percent of the average monthly water bills for the previous 12 months.

For Any Additional Violations - the highest of \$300.00 or

An amount equal to 300 percent of the average monthly water bills for the previous 12 months.

Any customer who has service disconnected pursuant to this section may appeal the cost of termination and restoring service to City Commission of the City of Ottawa.

C. Any violation of the Water Conservation Plan shall also be considered a violation of the Code of the City of Ottawa and may be punishable by proceedings in Municipal Court. Each day's violation shall constitute a separate offence and shall be punished accordingly.

Section 9. Emergency Termination.

Nothing in this ordinance shall limit the ability of any properly authorized city official from terminating the supply of water to any or all customers upon the determination of such city official that emergency termination of water service is required to protect the health and safety of the public or for any other emergency as required or authorized by ordinance or as deemed necessity of the City by such city official or the governing body of the City.

Section 10. Severability.

If any provision of this ordinance is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and its applicability to other persons and circumstances shall not be affected thereby.

Section 11. This ordinance shall become effective upon its publication in the official city newspaper.

PASSED AND APPROVED by the governing body this 17th day of September, 2008.



(Mayor's Signature)

ATTEST:



(City Clerk's Signature)

RESOLUTION NO. 1798-19

A RESOLUTION ADOPTING THE MUNICIPAL WATER CONSERVATION PLAN FOR THE CITY OF OTTAWA, KANSAS.

WHEREAS, Ordinance No. 3705-08, establishes Water Conservation measures for the City of Ottawa, Kansas; and

WHEREAS, the Kansas Water Office has made changes and revisions to its plans to ensure conservation in the event of emergency; and

WHEREAS, the Kansas Water Office has called on all municipalities to review their conservation measures to ensure they are still prudent, appropriate and provide adequate support to the state Water Conservation Plan; and

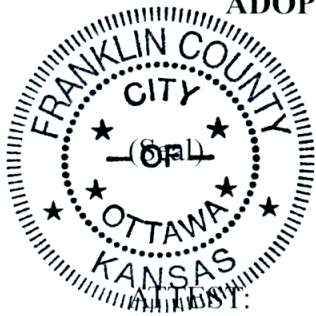
WHEREAS, city staff have conducted a thorough review of the plan and the city's conservation ordinance and finds that the existing Ordinance No. 3705-08 adequately supports the goals and plans of the Kansas Water Office and will be sufficient to authorize necessary conservation measures in the event of drought and emergency,

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS, AS FOLLOWS:

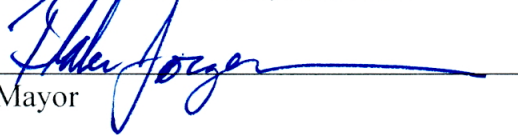
Section 1. The Governing Body hereby approves and adopts the Municipal Water Conservation Plan in the form attached hereto as *Exhibit A*.

Section 2. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the Governing Body of the City of Ottawa, Kansas on February 20, 2019.



CITY OF OTTAWA, KANSAS


Mayor


City Clerk