

AN ORDINANCE AMENDING CHAPTER 20, DIVISION 7 OF THE BARTLESVILLE MUNICIPAL CODE PERTAINING TO WATER SHORTAGES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BARTLESVILLE OKLAHOMA:

SECTION 1: That Chapter 20, Division 7 of the Bartlesville Municipal Code is hereby amended as follows:

Section 20-106 Authority

Whenever a potential water shortage exists, the City Council is authorized to restrict or prohibit the use of water from the City's water system.

- (a) The Water Utilities Director is the official responsible to monitor the City's water supply, optimize water usage from the City's raw water sources and report to the City Manager, who shall inform City Council, whenever the water supply falls below 80%.
- (b) Any restriction shall be enforceable by both the Code Enforcement and the Police Department.

Section 20-107 Water Shortage Condition

A potential water shortage condition exists whenever the water supply falls below 80% or so declared by the City Council.

- (a) Stage One: If the water supply is between 79% and 70%. The public will be informed of the current water supply status and voluntary usage reduction shall be requested. Every available forum will be used to educate the general public regarding the status of the water supply and measures they can take to reduce usage.
- (b) Stage Two: If the water supply is between 69% and 60%, the following water restrictions shall be implemented:
 - (1) City owned facilities such as golf courses, parks and capital projects will reduce or discontinue all irrigation except as necessary to preserve greens or

newly planted trees. For athletic fields or newly laid sod or seed, the watering shall be restricted to follow the outdoor water restrictions for even numbered properties implemented by each stage. For City owned swimming pools, a reduced schedule of operation or closure may be implemented to conserve water. City owned splash pads will be closed.

- (2) All leaks in the raw water and treated water system will be repaired immediately, without waiting for the most cost effective or convenient time.
- (3) Non-essential operational uses of water by City Crews will be suspended. Examples include but are not limited to: flushing of water mains and fire hydrants, street sweeping, routine water jet cleaning of sanitary sewer mains, and non-essential training of fire fighters using potable water.
- (4) Outdoor water use shall be restricted to two days per week. Even numbered properties may use water outdoors only on Mondays and Thursdays and odd numbered properties may use water outdoors only on Tuesdays and Fridays.
- (5) Any person violating any of the Stage Two restrictions shall be subject to the following fine schedule:

First Offense - written warning
Second Offense - \$50
Third Offense - \$100
Fourth Offense - \$200
Fifth or more Offense - \$500

- (6) The Water Utilities Director shall notify all wholesale customers and require each to adopt similar conservation measures for their systems in accordance with their individual contracts with the City of Bartlesville.

- (7) If designated by the City Council in a resolution, the rate adjustment for water usage in Stage Two shall be modified as follows:

Stage Two Emergency Water Rate Adjustment

For accounts with meters smaller than three (3) inches.	
Usage (gallons)	Adjustment on volumetric rates
0—2,000	100% of current rates
2,001—10,000	100% of current rates
10,001—25,000	105% of current rates
25,001—50,000	110% of current rates
>50,000	115% of current rates
For accounts with meters three (3) inches or larger, or industrial, or wholesale customers who have a separate contract for the purchase of water the adjustment shall be 100% of current volumetric rates.	

- (c) Stage Three: If the water supply is between 59% and 50%, the following water restrictions shall be implemented:
- (1) Continue all of the actions as directed in Stage Two not altered by provisions in Stage Three.
 - (2) Outdoor water use shall be restricted to one day per week. Even numbered properties may use water outdoors only on Thursdays and odd numbered properties may use water outdoors only on Fridays.
 - (3) Any person violating any of the Stage Three restrictions shall be subject to the following fine schedule:

First Offense - \$50
Second Offense - \$100
Third Offense - \$200

Fourth Offense - \$400
Fifth or more Offense - \$500

- (4) Water pressure will be reduced within the distribution system to minimum levels allowed by state and federal regulations.
- (5) If designated by the City Council in a resolution, the rate adjustment for water usage in Stage Three shall be modified as follows:

Stage Three Emergency Water Rate Adjustment

For accounts with meters smaller than three (3) inches.	
Usage (gallons)	Adjustment on volumetric rates
0—2,000	100% of current rates
2,001—10,000	105% of current rates
10,001—25,000	110% of current rates
25,001—50,000	115% of current rates
>50,000	120% of current rates
For accounts with meters three (3) inches or larger, or industrial, or wholesale customers who have a separate contract for the purchase of water the adjustment shall be 105% of current volumetric rates.	

- (d) Stage Four: If the water supply is below 50%, City Council shall declare an emergency and the following water restrictions shall be implemented:
 - (1) Continue all of the actions as directed in Stage Three not altered by provisions in Stage Four.
 - (2) A total ban on outdoor water use.
 - (3) All City pools will be closed.

- (4) Any person violating any of the Stage Four restrictions shall be subject to the following fine schedule:

First Offense - \$100
Second Offense - \$200
Third Offense - \$400
Fourth Offense - \$500
Fifth or more Offense - \$500

- (5) If designated by the City Council in a resolution, the rate adjustment for water usage in Stage Four shall be modified as follows:

Stage Four Emergency Water Rate Adjustment

For accounts with meters smaller than three (3) inches.	
Usage (gallons)	Adjustment on volumetric rates
0—2,000	100% of current rates
2,001—10,000	110% of current rates
10,001—25,000	120% of current rates
25,001—50,000	125% of current rates
>50,000	130% of current rates
For accounts with meters three (3) inches or larger, or industrial, or wholesale customers who have a separate contract for the purchase of water the adjustment shall be 110% of current volumetric rates.	

- (e) Each stage will remain in effect until the water supply reaches a level outside of the range indicated for the stage and there is an expectation that the water supply will remain above said threshold for a reasonable period of time.
- (f) Any person aggrieved by the terms of a resolution shall have the right to present the matter to the City Manager or his designee. The City Manager or his designee may exempt such aggrieved person, wholly or in part, from compliance

with a resolution order upon a showing that compliance creates an immediate threat to the person's health or safety, or creates an undue hardship for a business. The decision of the City manager or his designee may be appealed by written notice to the City Council but the terms of the resolution as to the person aggrieved shall remain in full force and effect during such appeal period.

- (g) Any excess revenue received through the emergency rate volumetric adjustment shall be reserved in a fund designated for capital improvements to the water distribution, treatment or water supply system.

Section 20-108 Resolution publication or issuance

- (a) Resolutions authorized by Section 20-107 shall be published in a newspaper of general circulation in the city. The terms of the resolution shall be in full force and effect upon publication. Substantial compliance with this section is sufficient to effect the resolution.
- (b) Whenever a sudden or unexpected event so reduces the availability of water or water pressure as to create an immediate threat to public health or safety, the mayor may issue an appropriate proclamation and notice of the proclamation may be given by reasonable means, including electronic means. The emergency shall be in full force and effect upon such notice; provided that if any such means is other than that required in subsection (a), the proclamation shall be republished in accordance with subsection (a) within twenty-four (24) hours of the first notice.

Section 20-108 Resolution duration


Such resolution shall continue and the terms of the resolution shall be in effect until such time as it is repealed by the City Council.

Section 20-109 – 20-125. Reserved

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF BARTLESVILLE, OKLAHOMA, THIS 3RD DAY OF APRIL 2023.


MAYOR

ATTEST:



CITY CLERK



VOTE:
MR. ROSZEL aye no
MR. DORSEY aye no
MS. ROANE aye no
VICE MAYOR CURD aye no
MAYOR COPELAND aye no

NOTE