



City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: O-1314-26

File ID: O-1314-26	Type: Ordinance	Status: Non-Consent Items
Version: 1	Reference: Item No. 35	In Control: City Council
Department: Legal Department	Cost:	File Created: 12/03/2013
File Name: Conservation Ordinance	Final Action:	

<p>Title: CONSIDERATION OF ORDINANCE NO. O-1314-26 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 21-405 OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN TO REQUIRE YEAR ROUND CONSERVATION RESTRICTIONS AND PROVIDE FOR ADDITIONAL CONSERVATION STAGES IN ACCORDANCE WITH THE CITY OF NORMAN WATER CONSERVATION PLAN, AND SET FORTH THE REQUIREMENTS FOR VARIANCES THEREFROM; AND PROVIDING FOR THE SEVERABILITY THEREOF.</p>

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-26 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-26 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 01/14/2014

Agenda Number: 35

Attachments: Text File O-1314-26.pdf, O-1314-26.pdf, O-1314-26 annotated.pdf, Oversight Minutes September 11.pdf, Study Session Minutes 9-17-13

Project Manager: Chris Mattingly, Water Treatment Plant Superintendent

Entered by: kathryn.walker@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	12/10/2013	Introduced and adopted on First Reading by title only				Pass
Action Text: That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call							

Text of Legislative File O-1314-26

body

BACKGROUND: During the annual Council Planning Retreat, one of the topics of discussion that was prioritized was updating the current Water Conservation Plan (the "Plan"), including examining whether the City should consider implementing year round mandatory watering restrictions. The purpose of this memorandum is to review the conservation measures contained in the current Plan and discuss changes to watering restrictions.

The Water Conservation Plan 2011 (as amended through February 26, 2013):

The current Plan dictates that the City undertake certain mandatory water conservation measures when drought patterns begin. There are 3 stages of conservation measures. Stage 1 Conservation is Voluntary Water Conservation. Stage 1 may be implemented when one or more criteria are met - (1) The City water demand is expected to equal the capacity of Norman Utilities Authority ("NUA"), (2) Lake Thunderbird water level drops to a water level of 1034.0 feet, (3) There is a temporary reduction in the source of supply from Lake Thunderbird, (4) A large portion of the distribution system is temporarily out of service, (5) the Oklahoma City emergency connection is not available for use; or (6) the Central Oklahoma Master Conservancy District ("COMCD") requests a slight reduction in member cities usage.

Stage 2 Conservation is Moderate (Mandatory) Conservation and may be implemented when (1) the City water demand exceeds the NUA's supply capacity by greater than 3 million gallons per day (mgd) for two consecutive days and there is not weather related relief in the forecast, (2) there is a reduction in long term source of water supply or COMCD requests a reduction in the Lake Thunderbird allocation by 10%, (3) when the water level in the lake drops to 1032.0 feet or below, or (4) when a large portion of NUA's distribution system is out of service. Developers, builders and members of the public are encouraged to wait to install new landscaping. The City is required to eliminate non-essential water use and reduce splash pad operation. Washing or hosing down buildings, sidewalks, driveways, porches or other paved areas is prohibited, as is washing of vehicles outside of a commercial car wash. No outdoor watering is allowed between 9am and 6 pm and odd/even watering restrictions are mandatory with no watering allowed on Wednesday and Thursday of each week. Excessive water run-off from landscaped areas is also prohibited.

Stage 3 Conservation is Severe (Mandatory) Conservation and may be implemented by the City Manager when (1) demand exceeds capacity by more than 6 million gallons per day for 2 consecutive days and there is no weather related relief in the immediate forecast, (2) areas of the distribution system have reduced water pressures less than 25 psi for 24 hours or more, (3) there is a reduction in long term source of supply or COMCD requests more than a 10% reduction in allocation from Lake Thunderbird, (4) the water level in the lake drops to a level of 1029.0 or below, (5) Stage 2 Conservation was implemented based on a reduction in allocation from Lake Thunderbird and demand has not decreased by 10% during Stage 2 Conservation and a drought is expected to continue for the near future, or (6) a large portion of the NUA's distribution system is out of service. During Stage 3 Conservation, landscape watering is limited to one day per week and prohibited during 9am and 6pm. Each area of Norman is assigned a specific day for landscape watering. No landscape watering is allowed on the weekends, however hand watering is allowed any day. No runoff is allowed. During Stage 3, the City is similarly restricted when watering City property. The City splash pads are shut off during Stage 3. Pools may use water to maintain operational levels but potable water cannot be used to refill ponds and lakes. Use of potable water at construction sites for dust control, compaction or wash-downs is prohibited.

Proposed Changes to the Water Conservation Plan

Given recent water shortage concerns, many cities have implemented mandatory watering restrictions on a year round basis. Recently, the City of Oklahoma City implemented Progressive Water Conservation Measures which includes permanent year-round mandatory odd/even watering restrictions. More stringent restrictions are dictated by combined lake capacity. Oklahoma City has also launched a website dedicated to public education about conservation (www.squeezeeverydrop.com <<http://www.squeezeeverydrop.com>>). A summary of Oklahoma City's Progressive Water Conservation Measures is attached.

Oklahoma City's plan requires all of their wholesale municipal water customers to follow the same or stricter conservation measures. This includes a number of metro area cities like Moore, Mustang, Yukon, and El Reno. Although Norman only buys water from Oklahoma City on an emergency basis, an argument can be made that during those times when we are purchasing Oklahoma City water, Norman should be implementing the similar or stricter conservation measures.

During its September meeting, the Council Oversight Committee explored several areas of possible amendments to Norman's Water Conservation Plan. The Committee looked at the recent changes to the Oklahoma City policy and discussed ways some of those changes could be used in and tailored to Norman.

The Committee discussed the following changes to the current Plan:

- ☐ Implement mandatory year-round odd/even landscaping watering conservation
- ☐ Adjust lake levels that can trigger implementation of conservation stages
- ☐ Draft language to more clearly communicate that hand-watering and using soaker hoses are allowed even when watering the yard may not be allowed
- ☐ Allow non-commercial car washing in Stage 2 Conservation (on the appropriate odd/even day)
- ☐ Stage 2 Mandatory Conservation would follow the Oklahoma City Stage 2 Conservation, i.e. two days per week watering
- ☐ All Mandatory Conservation efforts, including year round odd/even watering restrictions would also restrict watering between 9am and 6pm.

These changes were presented to the full Council at its Study Session on September 17, 2013 and the consensus of Council was to move forward with the proposed plan changes.

For clarity and enforcement purposes, Staff recommended that moving to a mandatory year-round odd/even watering schedule be codified.

DISCUSSION: Ordinance No. O-1314-26 amends Section 21-405 of the Norman Code to mandate an odd/even watering schedule year round. Recognizing this may create hardships in certain circumstances, the ordinance also includes a variance process similar to Oklahoma City's adopted variance process. Variances would be considered in limited circumstances upon request by the City Manager or his designee. The circumstances upon which a variance would be considered are as follows:

- (1) Existing in-ground water irrigation system is determined to make compliance physically impossible.
- (2) Newly-installed landscapes that require additional watering days following installation of the landscape for a reasonable time period.
- (3) Special circumstances as long as the applicant can demonstrate special circumstances and extreme hardship to the satisfaction of the City Manager or his designee and the granting of the variance will not cause an immediate significant reduction in the City's water supply.

Amendments to the Water Conservation Plan will be on Council's agenda for January 14, 2014 as a companion item to Council's consideration of Ordinance No. O-1314-26 on Second Reading.

RECOMMENDATION: Staff recommends adoption of Ordinance No. O-1314-26.