

**CITY OF SULTAN  
SULTAN WASHINGTON**

**ORDINANCE 763-01**

**AN ORDINANCE OF THE CITY OF SULTAN ADDING  
CHAPTER 13.13, WATER CONSERVATION, TO THE  
SULTAN MUNICIPAL CODE.**

Chapter 13.13 is hereby added to the Sultan Municipal Code to read as follows

**Chapter 13.13  
Water Conservation Program**

Sections:	13.13.010	Declaration of purpose
	13.13.020	Level I water supply problems – conditions
	13.13.030	Level II water supply problems – conditions
	13.13.040	Level III water supply problems – conditions
	13.13.050	Nonessential residential uses during Level III emergencies
	13.13.060	Nonessential commercial or industrial uses during Level III emergencies
	13.13.070	Service disconnections and enforcement procedures
	13.13.080	Variances

**13.13.010 Declaration of purpose**

The conservation and efficient use of water is found and declared to be a public purpose of highest priority. It will result in preservation of natural resources, enhancement of public health, safety and welfare, and a reduction in public costs for the construction of enlarged water and sewer facilities.

(Ord. 763-01)

**13.13.020 Level I water supply problem – Conditions**

At the discretion of the Public Works director (director) for the City of Sultan, a “Level I” water supply problem may be declared. During a Level I water supply problem, the director may request voluntary water conservation measures by notice to and education of the customers of the Sultan Water Utility, particularly with regard to “nonessential uses” as defined in Sultan Municipal Code Sections 13.13.050 and 13.13.060.

**13.13.060 Level II water supply problem – Conditions**

In the event of a system failure or other situation in which water usage exceeds the rate of re-supply, the director may declare a Level II water supply problem. During a Level II water supply problem, the director shall implement voluntary water conservation measures, up to and including reduced or altered lawn watering schedules. (Ord. 763-01)

#### **13.13.040 Level III water emergency – Conditions**

In the event of a system failure or other situation in which water supply fails to meet the demand for water, and voluntary conservation measures remain ineffective or would be expected to be inadequate, the director may request a declaration by the Sultan City Council that a Level III water emergency exists. In the event of a Level III water emergency, no person or customer shall sprinkle, water or irrigate any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation, except as authorized by council declaration. In addition, no person or customer shall cause or permit water to run to waste in any gutter or drain. (Ord. 763-01).

#### **13.13.050 Nonessential residential uses during Level III emergencies**

The following residential water uses determined to be nonessential and are prohibited during a Level III water emergency:

- (a) The use of water to wash any motorbike, motor vehicle, boat, trailer, airplane, or other vehicle, except at a commercial self-contained washing facility;
- (b) The use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced area, or building or structure;
- (c) The use of water to fill, refill or add to any indoor or outdoor swimming pools or Jacuzzi pools except for neighborhood fire control, where the pools have recycling water systems and evaporative covers, or where the use of the pool is required by a medical doctor's prescription;
- (d) The use of water in a foundation or pond for aesthetic or scenic purposes except where necessary to support fish life. (Ord. 763-01).

#### **13.13.060 Nonessential commercial or industrial uses during Level III emergencies**

The following commercial or industrial water uses are hereby determined to be nonessential and are prohibited during a Level III water emergency:

- (a) The use of water to serve a customer in a restaurant unless requested by the customer;
- (b) The use of water for scenic and recreational ponds and lakes, except for the minimum amount required to support fish life;
- (c) The use of water from hydrants for construction purposes, fire drills, or any purpose other than firefighting;
- (d) The use of water by a golf course to irrigate any portion of its grounds except those areas designated as tees and greens;
- (e) The use of water for dust control (Ord 763-01).

#### **13.13.070 Service disconnections and enforcement procedures**

(a) If the director determines that any customer has failed to comply with any provisions of this chapter relating to a Level III water emergency, then one written warning notice shall personally be delivered to a responsible occupant of the customer's residence. If there is no responsible occupant present, then the notice shall be posted at the front entrance of the residence. If the customer fails to respond to the notice within the time limit set forth therein, then the administrator may authorize disconnection of the customer's water service. Service so disconnected shall be restored only upon payment of a turn-on charge, hereby fixed at twenty-five dollars (\$25) during office

hours or fifty dollars (\$50) after office hours, or as otherwise specified by law, and any other costs incurred by the city in the discontinuance of service, and the giving of suitable assurances to the city that the action causing the discontinuance will not be repeated.

(b) In addition to the foregoing, the city of Sultan may, prior to restoration of service, install a flow-restrictive device on the customer's service. The flow-restrictive device shall be removed at the expiration of the Level III water emergency, and may be removed earlier at the discretion of the director upon petition of the customer.

**13.13.070 Variances**

The director may, in writing, grant temporary variances for prospective uses of water otherwise prohibited after determining that, due to unusual circumstances, failure to grant such variance would cause an emergency condition affecting health, sanitation, or fire protection of the applicant or the public.

(a) the city council shall ratify or revoke any such variance at its next scheduled meeting. Any variance so ratified may be revoked by later action of the city council.

(b) No variance shall be retroactive or otherwise justify any violation of this chapter occurring prior to issuance of the temporary variance.

Repealer: Any and all other ordinances or parts of ordinances of the City of Sultan inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Severability: If any provisions of this ordinance or its application to any person or circumstance are held invalid, the remainder of the ordinance or applications of the provisions of the ordinance to other persons or circumstances is not affected.

Effective Date: This ordinance shall be in full force and effect five days after publication as required by law.

REGULARLY ADOPTED by the Sultan City Council this    day of June, 2001.

\_\_\_\_\_  
C.H. Rowe, Mayor

ATTEST:

\_\_\_\_\_  
Laura J. Koenig, City Clerk

Approved as to form:

\_\_\_\_\_  
Grant Weed, City Attorney