

ORDINANCE 681

**AN ORDINANCE TO AMEND SECTION 14-101 OF THE PENDER VILLAGE CODE, TO PROVIDE FOR THE ADOPTION OF A DROUGHT EMERGENCY CONTINGENCY PLAN, TO ESTABLISH PROCEDURES FOR RESTRICTION OF WATER USE AND INCREASE OF WATER FEES IN THE EVENT OF WATER SHORTAGES OR LIMITED SUPPLIES, AND TO IMPOSE PENALTIES FOR NONCOMPLIANCE AND TO REPEAL PRIOR AND CONFLICTING PROVISIONS.**

**BE IT ORDAINED BY THE CHAIRMAN AND VILLAGE BOARD OF THE VILLAGE OF PENDER, NEBRASKA:**

SECTION 1. That Title 14, Chapter 1, Section 14-101 of the Village Code of Pender Nebraska shall be amended to read as follows:

**14-101. ADOPTION OF DROUGHT EMERGENCY CONTINGENCY PLAN:** The Village of Pender shall address any 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 there will be a greater deterioration in water supply conditions. The Chairman of the Board is hereby authorized to implement the appropriate conservation measures as set forth in this section when any of the conditions have been reached which would qualify for any of the specific stages. The chairman of the Board is given discretion to declare each particular stage as deemed appropriate by the Chairman of the Board by reviewing the severity of the trigger conditions and other additional information and is further authorized to implement conservation measures within the guidelines provided for each particular stage.

**STAGE ONE: WATER WATCH**

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

1. Ground water levels have fallen five feet below normal seasonal levels.
2. Systems pressure falls below 35 pounds per square inch.
3. Demand for one day is in excess of 500,000 gallons per day.

**GOALS:**

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

**MANAGEMENT ACTIONS:**

1. Leaks will be repaired within 48 hours of detection.
2. The Village will monitor its use of water and will curtail activities such as hydrant flushing.

#### REGULATION ACTIONS:

The public will be informed through the local media of the water watch and be asked to voluntarily reduce outdoor water use and to efficiently use water for indoor purposes for example, washing full loads of clothing and/or dishes, limiting the length and frequency of showers, and checking for water leaks and dripping of faucets, to prevent any unnecessary use of water.

#### **STAGE TWO: WATER WARNING**

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

1. Ground water levels have fallen ten feet below normal seasonal levels.
2. Systems pressure falls below 35 pounds per square inch.
3. Plant operations are at 80% capacity for more than three consecutive days.
4. Demand for one day is in excess of 500,000 gallons per day.

#### GOALS:

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

#### MANAGEMENT ACTIONS:

1. Water supply will be monitored daily.
2. Leaks will be repaired within 24 hours of detection.
3. Pumpage at wells will be reduced to decrease drawdown and to maintain water levels over well screens.
4. Village will curtail its water usage, including watering of Village grounds and washing of vehicles.

**REGULATION ACTIONS:** In addition to the regulation actions under Stage one, the following regulatory authority may be exercised by the Chairman of the Board:

1. An odd/even lawn watering and outdoor water use system, not including moderate watering of flowers and gardens, will be imposed on Village residents. Residents with odd-numbered addresses will water on Monday and Thursday between the hours of 5:00 a.m. and 9:00 a.m., and even-numbered addresses will water on Tuesday and Saturday between 5:00 a.m. and 9:00 a.m.
2. Refilling of swimming pools will be limited to one day a week after sunset.
3. Excess water use charges for usage of water over the amount used in the winter will be imposed at a rate twice the normal rate of water usage.
4. Residents who wish to water a newly-established lawn must apply for a permit

from the Village office. The cost for said non-refundable permit shall be \$100.00. Said permits are only allowed to be utilized when the Village is in Stage Two: Water Warning and can be utilized daily but only between the hours of 5:00 a.m. and 9:00 a.m. Said permit shall be revoked if the Village enters a Stage Three Water Emergency.

5. Waste of water will be prohibited.

### **STAGE THREE: WATER EMERGENCY**

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

1. Ground water levels have fallen 15 feet below normal seasonal levels.
2. Systems pressure falls below 35 pounds per square inch.
3. Pumping lowers water levels to within five feet of the top of the wells.
4. Plant operations are at 90% capacity for more than three consecutive days.
5. Demand for one day is in excess of 500,000 gallons per day.

#### **GOALS:**

The goals of this stage are to reduce peak demand by 50% and to reduce overall consumption by 25%.

#### **EDUCATION ACTIONS:**

1. The Village will make news releases to local media describing current conditions and indicate the water supply outlook for the Village.
2. The Village will hold public meeting(s) to discuss the emergency, the status of the water supply and further actions which need to be taken.

#### **MANAGEMENT ACTIONS:**

1. The Village water supplies will be monitored daily.
2. Leaks will be repaired within 24 hours of detection.
3. Standby wells will be activated for contingency operation.
4. Pumpage at wells will be reduced to decrease drawdown and to maintain water levels over well screens.
5. Village will seek additional emergency supplies from other users, the state, or federal government.

**REGULATION ACTIONS:** In addition to the regulation actions available under Stage



Two, the following regulatory authority may be exercised by the Chairman and Board.

1. Outdoor water use will be banned, except for businesses which require outdoor water use to operate.
2. Waste of water will be prohibited.

ENFORCEMENT: In the event that any water consumer fails to comply with the regulatory action taken by the Village, then the Chairman of the Board may direct the immediate discontinuance of water service to the location which is not in compliance with the restriction imposed. Water service may be resumed upon the Chairman of the Board being provided adequate evidence to show that compliance has been instituted and that compliance will continue under the restrictions imposed.

SECTION TWO: All Ordinances or portions thereof inconsistent with this Ordinance are hereby repealed. This Ordinance shall be in full force and effect from and after its publication according to law.

SECTION THREE: This Ordinance shall be published in pamphlet form and shall take effect as provided by law.

PASSED AND APPROVED THIS 27 DAY OF February, 2023.

VILLAGE OF PENDER

BY:   
Chris Reha, Chairman

ATTEST:

  
VILLAGE CLERK