

RESOLUTION NO. 2021-04

A RESOLUTION ADOPTING A WATER REGULATION AND CONSERVATION PROGRAM FOR KAMAS CITY, IMPOSING PENALTIES FOR VIOLATIONS, AND RELATED MATTERS

WHEREAS, Governor Cox has issued an executive order dated March 17, 2021, declaring a state of emergency due to current drought conditions throughout the state;

WHEREAS, Kamas City has been notified by the Weber Basin Water Conservancy District by letter dated April 4, 2021, that drought conditions will affect the City and the District's ability to provide water, and that the District is reducing all irrigation contracts;

WHEREAS, the Weber Basin Water Conservancy District has requested that the City work with the District to help manage the impact of the drought conditions and take conservation efforts, including educating City residents, limiting outdoor use of culinary water, and limiting irrigation uses, with the current goal of reducing usage by 20%;

WHEREAS, the City Council is authorized under State Law and City Ordinance to regulate and restrict the use of water when necessary to protect the health, welfare, and safety of its residents and to provide for the enforcement of such regulations, Utah Code §§ 10-7-12, 10-7-14; KCC § 7.04.190;

WHEREAS, the City adopted its Kamas City Water Conservation Plan, dated December 2019, which describes the types of conservation measures that the City may implement during times of emergency;

WHEREAS, the City Council finds that it is necessary to implement conservation efforts to reduce or mitigate the effect of the drought conditions and to ensure that the City and its residents continue to have a reliable, resilient, and sustainable water supply.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Kamas City, Utah, as follows:

1. The City Council authorizes the following conservation regulations, in order of least to most restrictive, to be implemented by the Public Works Director, subject to the approval of the Mayor, based on the evolving needs of the City, the District, and the City's residents. Conservation shall first be attempted through education and voluntary compliance of private citizens. Notice of current restrictions and regulations shall be posted and disseminated in such manners as to educate and inform residents about current regulations, restrictions, and the need for the same:

- a. Reduce or eliminate watering of city property;
- b. Education efforts on private water limitations, drought conditions, and need for conservation efforts to encourage voluntary compliance;

- c. Impose mandatory conservation measures:
 - i. Restrict outdoor watering between 10:00 AM and 6:00 PM;
 - ii. Restrict use of culinary water for outdoor watering;
 - iii. Restrict use of culinary water for water features and amenities (fountains, pools, etc.);
 - iv. Impose alternate day watering restrictions: North (Mon/Wed/Fri), South (Tues/Thurs/Sat);
 - v. Impose twice/week watering restrictions: North (Mon/Fri), South (Tues/Sat);
 - vi. Impose once/week watering restrictions: North (Wed), South (Thur);
 - vii. Prohibit all outside use of water;
- d. Impose emergency conservation compliance measures:
 - i. Impose fines and other penalties for non-compliance;
 - ii. Restrict indoor culinary water usage based on priority needs for health and safety, as described in the Water Conservation Plan;
 - iii. Physically restrict or shut-off water access based on priority needs for health and safety, as described in the Water Conservation Plan.

2. The Public Works Director, subject to the approval of the Mayor, may allow exceptions from the above-described water regulations, including for new lawns, testing of water systems, new construction, or other circumstances that do not result in undue usage, waste, or other impacts to or of the water supply.

3. The Public Works Director and the Mayor shall provide reports to the City Council at each regular City Council meeting or as otherwise requested regarding current water needs, water supply, and conservation regulations and exceptions.

4. The violation of water conservation regulations is an infraction. The Public Works Director, or other authorized person, may enforce water conservation regulations enacted pursuant to this resolution as follows, with each day being a separate offense:

- a. First offense: Written warning;
- b. Second offense: \$100 fine;
- c. Third and subsequent offenses: \$500 fine;


- d. Conservation regulations may also be enforced through court orders, injunctions, physical restriction of water supply (shut-offs), and other equitable or legal remedies.

Adopted and resolved by the City Council of Kamas, Utah this 27 day of April, 2021.



Mayor

ATTEST:



City Recorder