
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: June 20, 2003
SUBJECT: **Water Shortage Contingency Plan**
AFFECTED COUNCIL DISTRICTS: Citywide
STAFF REPORT BY: Gary Mumford
ADMINISTRATIVE DEPT. AND CONTACT PERSON: Public Utilities
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KEY ELEMENTS:

The Administration is requesting that the Council adopt an ordinance that requires the Department of Public Utilities to prepare a water shortage contingency plan. The plan is to have graduated stages of water shortage severity and water use restrictions for each stage. The plan is to establish guidelines by which the Mayor, upon recommendation of the Director of Public Utilities, would designate applicable water shortage stages. The proposed ordinance sets civil fine amounts and provides for an appeals process. The Department of Public Utilities will enforce the ordinance.

MATTERS AT ISSUE:

Water Shortage Contingency Plan - The Department of Public Utilities modeled the Water Shortage Contingency Plan after similar plans in Denver, Colorado; Tucson, Arizona; Phoenix, Arizona; Portland, Oregon; Irvine, Texas; and Arlington, Texas. Salt Lake City's plan has five water shortage stages. The guidelines for designating these stages are contained in the plan. One of the guidelines is water supply levels compared to average annual supply as follows:

Stage 1 - Advisory	Water supply is significantly below average annual supply for the current time of the year
Stage 2 - Mild	Water supply is projected to be 80% of average annual supply
Stage 3 - Moderate	Water supply is projected to be 70% of average annual supply
Stage 4 - Severe	Water supply is projected to be 60% of average annual supply
Stage 5 - Critical	Water supply is projected to be 50% of average annual supply

The proposed Water Shortage Response Summary and related appendixes - In developing the response measures, input was obtained from the Utah Irrigation Association, Utah Turf Growers Association, Utah Carwash Association, and from representatives of hotels, restaurants, bottling industry, washing equipment industry, and ice equipment industry. The Public Utilities Advisory Committee reviewed and provided input to the ordinance and the contingency plan. The water shortage contingency plan and the response summary are not part of the ordinance. These documents can be periodically updated to reflect changing water supplies, customer demand patterns, and best management practices.

The Advisory Stage is intended to increase the community’s awareness of the potential for future water shortages. Conservation education efforts will increase during this stage. There are certain voluntary and mandatory restrictions in the other four stages. Municipal and other governments will be those first restricted by mandated actions. These restrictions are not adopted by ordinance, but are contained in the Water Shortage Response Summary prepared and updated by the Department of Public Utilities. The following is an example of some of the restrictions in the Department’s document.

Examples of Voluntary and Mandatory Response Measure				
	Mild	Moderate	Severe	Critical
Residential				
Lawn watering - ½ inch once every 4 days in May; once every 3 days in June, July, August; once every 6 days in September; no watering between 10 AM and 6 PM; maintain system in good working order with no damaged, misaligned or missing heads	Voluntary	Voluntary	Permitted two days per week	Lawn watering prohibited
No lawn watering between 10 AM and 6 PM; maintain system in good working order with no damaged, misaligned or missing heads	Voluntary	Voluntary	Mandatory	Lawn watering prohibited
Swimming pools – use pool cover when not in use; lower water level by 4 inches	Voluntary	Voluntary	Voluntary	May not be filled
Fountains - do not spray into the air	Voluntary	Voluntary	Mandatory	Mandatory
No hard-surface washing	Voluntary	Voluntary	Mandatory	Mandatory
Washing personal vehicles – use bucket or positive pressure nozzle	Voluntary	Voluntary	Mandatory	Prohibited
Commercial and Industrial				
Follow Best Management Practices	Voluntary; reduce use by 5%-14%	Voluntary; reduce use by 15%-24%	Voluntary; reduce use by 25%-34%	Mandatory; reduce use by 35%
Lawn watering - ½ inch once every 4 days in May; once every 3 days in June, July, August; once every 6 days in September; no watering between 10 AM and 6 PM maintain system in good working order with no damaged, misaligned or missing heads	Voluntary	Voluntary	Permitted two days per week	Lawn watering prohibited
Swimming pools – use pool cover when not in use; lower water level by 4 inches	Voluntary	Voluntary	Mandatory	Mandatory
Fountains – do not spray into the air	Voluntary	Voluntary	Mandatory	Mandatory
Restaurants – serve water upon request	Voluntary	Voluntary	Mandatory	Mandatory
Hotels/lodging – request that laundry not be washed daily	Voluntary	Voluntary	Mandatory	Mandatory
Government (Parks, Golf, Schools & other facilities)				
Lawn watering - follow established water target; no watering between 10 AM and 6 PM; maintain system in good working order with no damaged, misaligned or missing heads	Mandatory	Mandatory 15% less than target	Mandatory 25% less than target	Not allowed
Swimming pools – use pool cover when not in use; lower water level by 4 inches	Voluntary	Voluntary	Mandatory	Mandatory
Do not operate fountains that spray into the air	Voluntary	Voluntary	Mandatory	Mandatory

Enforcement – When mandatory compliance is in effect, water meter readers and inspectors will enforce the ordinance. Council staff understands that the Department’s intent, where possible, is to resolve compliance issues by a short informal educational discussion with the water customer. The ordinance provides that a civil fine would be imposed only after the issuance of a written warning. This will be accomplished by certified mail and will contain water conservation information.

Civil penalties – The proposed ordinance provides for the following civil penalties to be added to the water bill:

First violation	\$100
Second violation	\$250
Third violation	\$500
Fourth violation	\$1000
Fifth violation	\$1000 and water service shut off

The ordinance provides that fine revenue be used for water conservation programs or to pay costs to administer the Water Shortage Contingency Plan.

Appeals process – A customer can discuss a fine with a hearing officer designated by the Director of Public Utilities. Appeals can be made to a panel composed of three members of the Public Utilities Advisory Committee. Variances and exceptions can be given based on a history of effort or specific circumstances.

OPTIONS:

The Administration is requesting that the Council set the date for a public hearing. The Council agenda for June 24 suggests that the public hearing be set for July 8. This would allow the ordinance to be effective in July. Other options include holding an additional work session discussion, requesting that the Department obtain further input, or holding the public hearing in August so that information and notices of the hearing can be distributed in water bills.

cc: Rocky Fluhart, David Nimkin, LeRoy Hooton, Jeff Niermeyer, Stephanie Duer, JD Baxter
