

## **RESOLUTION 2018-03**

**A RESOLUTION DECLARING A DROUGHT WATER EMERGENCY - STAGE 3, EMERGENCY STATUS FOR CITY OF BURLINGTON, KANSAS AND ITS WATER CONSUMERS, INCLUDING RURAL WATER DISTRICTS 2 AND 3 AND THE CITIES OF GRIDLEY, LEROY, AND NEW STRAWN, KANSAS; AS REQUIRED BY CITY OF BURLINGTON'S EMERGENCY WATER OPERATIONS/SUPPLY PLAN-DROUGHT/EMERGENCY CONTINGENCY PLAN AND CITY ORDINANCE NO. 536.**

**WHEREAS**, the Burlington Water Treatment Plant receives water from the Cottonwood and Neosho River Basins Water Assurance District No. 3; and

**WHEREAS**, with the continuation of the county Drought Emergency, the Stage 1 WATER WATCH (Resolution 2018-02) is hereby ended, and a STAGE 3 WATER EMERGENCY is DECLARED. Due to the continued lack of inflow and current and predicted reservoir levels of conditions, the Governor and the Kansas Water Office is issuing a Water Stage 3 Emergency for the Cottonwood and Neosho River Basins Water Assurance District No. 3 reservoirs; and

**WHEREAS**, the purpose of Ordinance 536 is to provide for the declaration of a water supply watch, warning or emergency; and the implementation of voluntary and mandatory water conservation measures throughout the City and its water consumer Rural Water Districts and Cities when such a watch, warning or emergency is declared; and

**WHEREAS**, Ordinance 536, Section 5: DECLARATION OF WATER EMERGENCY states: Whenever the Governing Body of the City finds that an emergency exists by reason of a shortage of water supply needed for essential uses, it shall be empowered to declare by resolution that a water supply emergency exists, and that it will impose mandatory restrictions on water use during the period of the emergency. Such an emergency shall be deemed to continue until it is declared by resolution of the Governing Body to have ended. The resolutions declaring the existence and end of the water supply emergency shall be effective upon their publication in the official city newspaper; and

**WHEREAS**, Ordinance 536, Section 7. MANDATORY CONSERVATION MEASURES states: Upon the declaration of a water supply emergency as provided in Section 5, the Mayor is also authorized to implement certain mandatory water conservation measures, including but not limited to, the following.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BURLINGTON, KANSAS THAT:**

**SECTION 1. MANDATORY CONSERVATION MEASURES DECLARED**, In accordance with Ordinance 536, Section 7, the Mayor of City of Burlington hereby declares City of Burlington and all its water consumers, including Rural Water Districts 2 and 3, and the Cities of Gridley, LeRoy, and New Strawn to be under a STAGE 3 DROUGHT WATER EMERGENCY.

### **SECTION 2. EDUCATION ACTIONS:**

1. City of Burlington will keep the public informed.
2. City of Burlington will provide water conservation information for the public.

### **SECTION 3. MANAGEMENT ACTIONS BY CITY OF BURLINGTON:**

- 1) The City water supply will be monitored daily.
- 2) Leaks will be repaired within 12 hours of detection.
- 3) System pressure will be maintained between 60-65 pounds per square inch.
- 4) Pumpage at river intakes will be reduced to decrease drawdown and to maintain water levels over well screens.

- 5) The City will curtail its water usage, including operation of fountains, watering of City grounds and washing of vehicles.

**SECTION 4. MANDATORY WATER CONSERVATION** Mayor Stan Luke hereby calls on all water consumers to employ mandatory water conservation measures to limit or eliminate nonessential water uses, including but not limited to the following:

- 1) **LIMITED OUTDOOR WATER USE** before 10 a.m. and after 9 p.m. for Watering of Lawns, Plants, Trees and Shrubs, or Gardens, and other outdoor uses.
- 2) **NO FILLING SWIMMING POOLS.**
- 3) **NO NEW WATER CONNECTIONS** to the City's water distribution system, except connections of fire hydrants and those made pursuant to agreements entered into by the City prior to the effective date of the declaration of the emergency.
- 4) **RESTRICTIONS ON COIN OPERATED SALES** Facilities or Sites.
- 5) **RESTRICTIONS ON USES OF WATER** in one or more classes of water use, wholly or in part.
- 6) **ADDITIONAL MEASURES MAY BE REQUIRED** in the event that Burlington's Water Treatment Plant productions does not decline by 25% of its current weekly usage, City of Burlington may:
  - a) **IMPOSE WATER RATIONING**, based on any reasonable formula, including but not limited to, the percentage of normal use and per capita or per consumer restrictions.
  - b) **IMPOSE BANS**, either complete or partial, on waste of water.
  - c) **IMPOSE WATER RATES** during the emergency, by ordinance designed to conserve water supplies, as follow:
    - \* higher charges for increasing usage per unit of use;
    - \* uniform water charges for water usage per unit of use; or
    - \* extra charges in excess of a specified level of water use.
  - d) **IMPOSE** any combination of the foregoing measure.

**SECTION 5. REGULATIONS** During the effective period of any Water Supply Emergency as provided for in Section 5, the Mayor is empowered to promulgate such regulations as may be necessary to carry out the provisions of Ordinance 536, any water supply emergency resolution, or emergency water rate ordinance. Such regulations shall be subject to the approval of the Governing Body at its next regular or special meeting.


**SECTION 6.** This Resolution invalidates Resolution 2018-02, which declared a Water Watch.

**SECTION 7.** This Resolution 2018-03, which declares a Stage 3 Water Emergency, is in full force from time of publication in the official local newspaper until it is ended by resolution.

**APPROVED** by the Governing Body of the City of Burlington, Coffey County, Kansas, on this 15<sup>th</sup> day of August 2018.

(Seal)

  
Robert S. Luke, Mayor

ATTEST:   
Regina R. Kewley, City Clerk

APPROVED AS TO FORM   
Thomas R. Robrahn, City Attorney