

A RESOLUTION REVOKING AND REPLACING RESOLUTIONS NO. 03-16 AND NO. 07-16  
ADOPTED PURSUANT TO CITY CODE CHAPTER 15, ARTICLE 5 AND THE  
MUNICIPAL WATER CONSERVATION PLAN FOR THE CITY OF RUSSELL, KANSAS,  
AND DECLARING A STAGE II WATER WARNING AND IMPOSING MANDATORY  
RESTRICTIONS ON WATER USE UNDER STAGE II

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RUSSELL:

WHEREAS, the Code of the City of Russell at Section 15-503 authorizes the Governing Body of the City of Russell by reason of a drought or some other water condition to determine that the City's water supply may be subject to shortage in supply;

AND WHEREAS, the City of Russell did by Resolution No. 03-16 declare that the city was in a Stage II Water Warning and by Resolutions No. 03-16 and 07-16 adopted certain water conservation measures;

AND WHEREAS, the council, finds that Resolutions No. 03-16 and 07-16 should be withdrawn and replaced with this Resolution for simplification and clarity purposes, but that the City should continue in a Stage II Water Warning, with the following mandatory water conservation measures adopted for use of potable water from the City's municipal water supply:

BE IT RESOLVED that the Governing Body of the City of Russell, by and through its inherent authority and pursuant to the provisions of Chapter 15, Article 5 to the Code of the City of Russell, hereby reaffirms and declares that the City is in a Stage II Water Warning and that the following conservation measures are adopted for use of potable water from the City's municipal water supply system:

1. Waste of Water is prohibited. This shall include permitting water to escape down a gutter, ditch, or other surface drain, and also failure to repair a controllable leak of water due to defective plumbing; and
2. Outdoor watering for residential and public grounds for gardens, lawns, trees, shrubs, water gardens, plants, parks, golf courses and playing fields is prohibited during the hours from 10:00 a.m. to 7:00 p.m. of each day.

BE IT FURTHER RESOLVED THAT EFFECTIVE WHEN WATER STOPS RUNNING OVER THE LOW HEAD DAM IN BIG CREEK immediately downstream from the City's water intake (Benchmark) then the following additional mandatory water conservation measures are adopted for use of potable water from the City's municipal water supply system:

3. Filling or refilling a residential above and/or below ground swimming pool is prohibited;
4. Outdoor watering for residential and public grounds for gardens, lawns, trees, shrubs, water gardens, plants, parks, golf courses and playing fields is prohibited except for one (1) day per calendar week which shall for each user be that property's sanitation pickup day as designated by the City. Watering on such day is permitted only before 10:00 a.m. and after 7:00 p.m. If such customer has multiple sanitation pickup days in a week, then outdoor watering shall be permitted on only the first sanitation pickup day of the week for such customer;
5. Washing of motor vehicles, boats and trailers on residential or public property is prohibited;

6. Washing of motor vehicles, boats and trailers on commercial or industrial property is prohibited except for commercial or industrial vehicles used in the operation of such business and washed as an ordinary and common practice in the operation of business, and except for the washing of vehicles at commercial truck and/or car washes;
7. Washing of the exterior of any building or structure on any grounds is prohibited;
8. Industrial and commercial users shall not water their lawns or non-commercial trees, shrubs and plants. Trees, shrubs and plants held for sale by commercial and retail sellers may be watered; and
9. Industrial users of water are required to reduce their consumption to an amount equivalent to 85% of the average use for the prior five (5) years for the month in question [i.e., sum total of consumption of the user for the month under review for prior five (5) years divided by five (5) multiplied by 85%].

The additional conservation measures upon meeting the Benchmark provided for under items 3 through 9 inclusive shall go into effect upon the Russell City Manager publicly declaring that the Benchmark has been met by written press release of the same to the City's official newspaper, KRSL radio and posting the notice on the City's official website.

These additional water conservation measures shall remain in effect until water starts running over the low head dam in Big Creek and the City Manager publicly declares by written press release to the City's official newspaper, KRSL radio and posting the notice on the City's official website that the Benchmark is no longer being met and the additional conservation measures numbered 3 through 9 are lifted. The Stage II Water Warning will remain in effect as will conservation measures 1 and 2 stated above.

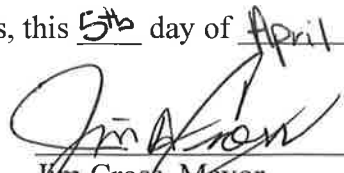
BE IT FURTHER RESOLVED that this Resolution shall not restrict the use of City effluent water.

BE IT FURTHER RESOLVED that this Resolution shall be enforced in accordance with the provisions of Chapter 15, Article 5 to the Code of the City of Russell, Kansas.


This Resolution shall be in full force and effect upon publication of the summary of this Resolution in the official city newspaper and posting of the Resolution on the City's official website.

PASSED by the Governing Body of the City of Russell, Kansas, this 5<sup>th</sup> day of April, 2022.

APPROVED by the Mayor of the City of Russell, Kansas, this 5<sup>th</sup> day of April, 2022.

  
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Jim Cross, Mayor

ATTEST:

  
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Ashley Mai, City Clerk