

ORDINANCE 24-02

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA AMENDING CHAPTER 51 OF THE WAVERLY MUNICIPAL CODE RELATING TO LAWN IRRIGATION SYSTEMS TO ENACT ALTERNATE DAY WATERING; ESTABLISHMENT OF PROCEDURES AND COMPLIANCE MEASURES, TO REPEAL CONFLICTING ORDINANCES AND CODE PROVISIONS; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE OF MAY 1, 2024.

WHEREAS, the City of Waverly (“City”) currently has in place in Chapter 51 of the City’s Municipal Code provisions for the conservation of municipal water resources;

WHEREAS, seasonal water demands cause challenges to the City’s water pumping capacity during well maintenance and while City continues siting sources for additional water supply; and

WHEREAS, the City desires to conserve and protect its municipal water resources in a manner that protects the public interest in light of the City’s continued growth and economic development, enact the following Alternate Day Watering Conservation Measures.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. Section 51.36 of the Municipal Code shall be amended to add a new subsection (D) as follows:

§51.36 LAWN IRRIGATION SYSTEMS.

D. Effective May 1, 2024, the following lawn watering and lawn irrigation restrictions on consumers and enforcement measures shall be in full force and effect:

1. Restrictions
 - a. Consumers having an ODD numbered street address shall be permitted to water or irrigate their lawns on Tuesday & Saturday;
 - b. Consumers having an EVEN numbered street address shall be permitted to water or irrigate their lawns on Wednesday and Sunday;
 - c. No lawn watering or irrigation shall be permitted on Mondays, Thursdays and Fridays; and
 - d. No lawn watering or irrigation shall be permitted between the hours of 10 a.m. and 4 p.m. on any day.
2. Compliance Measures/Fines
 - a. First (1st) and Second (2nd) offense in a calendar year: Warning notification letter for violation will be hung on the front door of the residence

- c. Third (3rd) offense in a calendar year: Warning notification letter for violation will be hung on the front door of the residence. Water service will be disconnected and a reconnection fee of \$200 shall be paid prior to reconnection.
- d. Fourth (4th) and subsequent offenses in a calendar year: Warning notification letter for violation will be hung on the front door of the residence. Water service will be disconnected and a reconnection fee of \$400 shall be paid prior to reconnection.

3. Exemptions

- a. A fourteen (14) day exemption will be permitted for lawn watering and lawn irrigation for those consumers establishing new grass or sod provided a sod permit has been issued by the City. Sod permits may be obtained from the City Office and are subject to a \$50 permit fee. A sod permit will not alter the requirement that no lawn watering or irrigation shall be permitted between the hours of 10 a.m. and 4 p.m. on any day.
- b. These restrictions only apply to lawn watering and lawn irrigation, and do not apply to the watering of gardens or the washing of vehicles, driveways, houses, etc.
- c. Consumers seeking to transport water from outside the City's corporate limits for the purpose of lawn watering or lawn irrigation must notify the City in advance.

Section 2. That any ordinance in conflict with this ordinance is hereby repealed.

Section 3. This ordinance shall be in full force and take effect from and after its passage, approval, and publication on May 1, 2024.

PASSED AND APPROVED THIS 23RD DAY OF APRIL, 2024.


William D. Gerdes
Mayor

ATTEST:


Megan K. Frye
City Clerk/Deputy Treasurer



(Seal)