



City of Waverly, Nebraska

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WATER EMERGENCY DECLARATION ISSUED BY THE MAYOR

As of 12:01 a.m. on Wednesday, June 28th, 2023, I, William D. Gerdes, am declaring a “Water Emergency” for the City of Waverly Nebraska and plead for all users of our City’s water to conserve.

Our well levels have dropped to a level that trigger a “Water Emergency” and I declare mandatory water restrictions must be made to raise water levels and conserve water with the following guidelines from the City of Waverly Municipal Code; TITLE V: PUBLIC WORKS:

[City of Waverly - Waverly Municipal Code \(citywaverly.com\)](http://www.citywaverly.com)

§51.37 AUTHORIZES THE DECLARATION OF A WATER WATCH, WARNING, OR EMERGENCY; ESTABLISHING PROCEDURES AND VOLUNTARY AND MANDATORY CONSERVATION MEASURES; AUTHORIZING THE ISSUANCE OF ADMINISTRATIVE REGULATIONS; AND PRESCRIBING CERTAIN PENALTIES.

Section 7. Mandatory Conservation Measures. 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:

- (a) Sprinkling of water on lawns, shrubs, or trees (including golf courses), that users are mandatorily restricted to conserve water by rotating water use on and even, odd system. Tuesday, Thursday, and Saturday addresses ending in even numbers, are restricted to watering on these days only. Wednesday, Friday, and Sunday, addresses ending in Odd numbers, are restricted to watering on these days only. (Anyone found not following these restrictions is subject to penalties under Section 11 of this ordinance.)
- (b) Limit washing of automobiles.
- (c) Limit of water in swimming pools, fountains and evaporative air conditioning systems. Waste of water on sidewalks, driveways, and streets is strictly prohibited. Suspension of new connections to the City’s water distribution system, except connections of fire hydrants and those made pursuant to agreement entered into by the City prior to the effective date of the declaration of the emergency.
- (d) Restrictions on the uses of water in one or more classes of water use, wholly or in part;
- (e) Restrictions on the sales of water at coin-operated car wash facilities or sites;
- (f) The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per consumer restrictions;
- (g) Complete or partial bans on the waste of water; and
- (h) Any combination of the forgoing measures.

Section 8. Emergency Water Rates. Upon the declaration of a water supply emergency as provided in Section 5, the Governing Body of the City shall have the power to adopt emergency water rates by ordinance designed to conserve water supplies.

Section 9. 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 this ordinance, 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 10. Violations, Disconnections and Penalties. Upon any violation of any water use restrictions imposed pursuant to this ordinance, a written notice of the violation shall be affixed to the property where the violation occurred and the customer of record and any other person known to the City who is responsible for the violation or its correction shall be provided with either actual or mailed notice. Said notice shall describe the violation and order that it be corrected, cured or abated immediately or within such specified time as the City determines is reasonable under the circumstances. If the order is not complied with, the City may terminate water service to the customer.

- (a) A fee of \$50 shall be paid for the reconnection of any water service terminated pursuant to Section 10. In the event of subsequent violations, the reconnection fee shall be \$200 for the second reconnection and \$300 for any additional reconnections.
- (b) Any person who shall violate or refuse to comply with the enforcement of any provision in this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100 for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such violation or failure to comply.

Section 11. Emergency Termination. Nothing in this ordinance shall limit the ability of any properly authorized city official from terminating the supply of water to any or all customers upon the determination of such city official that emergency termination of water service is required to protect the health and safety of the public.

Section 12. Severability. If any provision of this ordinance is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and its applicability to other persons and circumstances shall not be affected thereby. (Ord. No. 00-06, 08/07/00; Ord. No. 03-02, 04/07/03; Ord. No. 06-16, 09/05/06)



William D. Gerdes, Mayor

(Seal)

