

ORDINANCE NO. 6844

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 13.14.010, 13.14.020, 13.14.030, 13.14.050 AND 13.14.060, AND REPEALING AUBURN CITY CODE (ACC) 13.14.040 REGARDING MANAGING THE CITY'S WATER SUPPLY

WHEREAS, RCW 35.21.210 and RCW 35.92.010 empower the City to establish, maintain, control, regulate and manage its water supply for the purpose of furnishing water to the City and its inhabitants;

WHEREAS, the City's water supply is divided into two separate water systems: one currently serving 12 residential customers in the Hidden Valley/Braunwood neighborhood (HVB) from a single well with a limited water right, and one serving the remainder of the City;

WHEREAS, periodic drought conditions, excessive customer water use and other causes can threaten the City's ability to ensure an adequate water supply, particularly in the HVB water system given its limited size, single source of supply, and separation from the rest of the City's water supply;

WHEREAS, in monitoring water usage in HVB, the City's Public Works Department observed excessive irrigation water use in HVB that nearly tripled HVB's overall average water use. Coupled with drought conditions, this high water use put HVB in danger of entirely running out of water since the total amount of water that can be produced annually is limited by the well's water right. Accordingly, in August and September, 2021, the Mayor proclaimed a water emergency for HVB pursuant to ACC 13.14;

WHEREAS, implementing ACC 13.14 to respond to the HVB emergency revealed that ACC 13.14 contains repetitive procedural requirements involving city staff, administration and the City Council that inhibited and slowed the City's ability to quickly and efficiently address a water emergency;

WHEREAS, through prior enactment and Council adoption of a Water Shortage Contingency Plan, the City's Public Works Department is able to determine the measures and procedures needed to adequately respond to a current or anticipated water shortage or emergency;

WHEREAS, the City finds that ACC 13.14 should be amended to remove repetitive procedural barriers to an effective water emergency response and to streamline the City's ability to efficiently take needed steps to ensure an adequate water supply, which are in the City's best interests and consistent with the City's purpose of furnishing an ample water supply to the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendments to Chapter 13.14 of the Auburn City Code.

Sections 13.14.010, 13.14.020, 13.14.030, 13.14.050 and 13.14.060 of the Auburn City Code shall be amended as set forth in Exhibit A to this Ordinance;

Section 2. Repeal of City code section. As language from ACC 13.14.040 has been moved and incorporated into ACC 13.14.060 as amended by this Ordinance, Section 13.14.040 of the Auburn City Code is repealed.

Section 3. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 4. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective date. This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

Published: _____