



City of Whitefish
Department of Public Works
418 E. 2nd St. | PO Box 158
Whitefish, MT 59937
(406) 863-2460 | Fax (406) 863-2419

COMMERCIAL OUTDOOR WATER USE PERMIT

Note: The City of Whitefish Public Works Department reserves the right to deny any permit and to temporarily halt any use of outdoor water to ensure compliance with City requirements as determined appropriate by the Public Works Department.

Business Name: _____

Business Address: _____

Owner Name: _____ Owner Phone Number: _____

Owner Email Address: _____

Describe purpose of outdoor this Water Use Permit. Be sure to include narrative explaining why this permit is necessary to maintain operation of the business: _____

By signing below, I certify that I have read and fully understand all of the attached materials associated with Ordinance 19-12 and my business cannot maintain operations without the use of outdoor water.

Property Owner Signature

Date

Permit Approved By: _____

Date: _____

Comment: _____

Preventing Irrigation Runoff

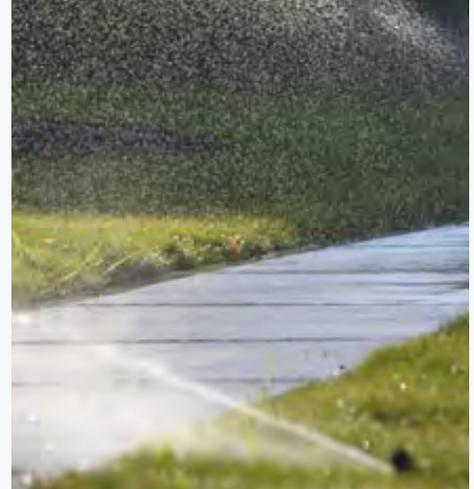
Irrigation runoff not only wastes water, it can lead to pollutants like bacteria, fertilizer, and oil entering our lakes and rivers untreated. Regularly monitor your irrigation system to check for runoff and determine the cause so you prevent water waste and keep your lawn healthy.

Adjust sprinkler heads so that they don't spray onto streets or sidewalks

- Easy tutorials online can help you adjust your sprinkler heads
- If necessary, move sprinkler heads 1-2 feet back from the sidewalk

Replace spray nozzels with drip irrigation or soaker hose systems for narrow planting areas

- Drought tolerant plants might be the better option for a narrow location



Keep sprinkler heads clear and prevent spray blockage

- Trim grass and shrubs away from sprinkler heads or install high risers where necessary
- Drip irrigation systems apply water directly to the base of plants, preventing blockage

Prevent overwatering by running sprinklers only when necessary

- Use multiple, short-duration watering cycles to allow water to soak into soil between cycles
- Water less often and allow your lawn to completely dry between waterings

Make sure your lawn is properly graded for optimal drainage

- Terracing and shallow watering basins can prevent run-off on sloped lawn areas
- Soil amendments and aeration can allow for better water absorption

ROAD MAP TO RESILIENCE



Whitefish Conservation Ordinance Frequently Asked Questions

Q: Why do we have conservation ordinances?

Balancing the demand for and use of water is a critical challenge for Whitefish's population today and for the future. Reducing the amount of water that is wasted is part of the City's Climate Action Plan and an effective way to balance water demands with limited available water resources.

Currently, Whitefish's water supply infrastructure is at a maximum capacity, and the summer water use is extremely high relative to the base/winter use. This puts severe stress on the City's infrastructure and operations. Conservation practices and wasting less water will reduce the peak summer demand and costs of supplying water, as well as the life of the City's water infrastructure.

Using less water also reduces our impact on the environment and preserves resources for future generations who live, work and play in Whitefish.

Q: How will I know what conservation stage I'm in?

1
2
3

Until further notice, Whitefish will remain in the General Conservation stage. Changes in stages will be triggered by excessive use, drought conditions and/or major infrastructure failures. Residents will be notified of changes in conservation stages by issuance of a proclamation by the Public Works Director through public service announcements, website and social media.

Q: What is the General Conservation stage?

- All outdoor watering is prohibited between the hours of 9:00 a.m. and 5:00 p.m.
- Commercial lodging establishments must provide guests the option of choosing not to have linen washed every day.
- Watering must not result in coverage of pavement areas or result in excess runoff.
- All hoses used for watering or car washing shall be equipped with a positive shut-off nozzle.

Q: What is a positive shutoff nozzle?



Positive shut-off nozzles are placed on the end of garden hoses and other water delivery systems to stop any waste of water prior to the user's need. This piece of equipment will help you waste less water (and money!).

Q: Can I water my Vegetable Garden?



Under all stages, watering of vegetable gardens during allocated times and dates are allowed. Where possible, utilize soaker hoses, timed watering systems and mulch soils to retain moisture. Look for ways to waste less water and water adequately only the areas that require moisture.

Q: What is the General Conservation stage?

Wasting less water is critical for the sustainability of Whitefish's water infrastructure. It is also key to maintaining the City's commitment to the approved Climate Action Plan. Key priorities of this plan include conserving water, protecting the City's watersheds, and diversifying the City's water supply resources. In order to meet these goals, the General Conservation stage will remain part of routine operation for the city.

Q: Will The General Conservation Stage Change?

Wasting less water is critical for the sustainability of Whitefish's water infrastructure. It is also key to maintaining the City's commitment to the approved Climate Action Plan. Key priorities of this plan include conserving water, protecting the City's watersheds, and diversifying the City's water supply resources. In order to meet these goals, the General Conservation stage will remain part of routine operation for the city.

What Triggers The Additional Conservation Stages?

- Stage I, Severe Water Shortage, will be declared whenever the City must utilize all of its water treatment infrastructure due to extreme demands, or when portions or all of Flathead County is in Extreme Drought as declared by the US Drought Monitor
- Stage II, Extreme Water Shortage, will be declared if the City's infrastructure experiences a critical equipment failure or when portions or all of Flathead County is in exceptional drought as declared by the US Drought Monitor.

What's The Difference Between Stage 1 and Stage 2 Water Conservation Regulations

Stage 1 Severe Water Shortage includes all General Conservation requirements plus watering is limited to 2 days per week in accordance with the following schedule:

- No watering is allowed on Monday
- Single residential properties with odd-numbered addresses may water on Saturday and Wednesday.
- Single residential properties with even-numbered addresses may water on Sunday and Thursday.
- All other properties (multi-unit, HOAs, commercial, industrial, government) may water on Tuesday and Friday.
- New turf planting is prohibited.
- Exterior water features must be turned off.
- Car washing is prohibited except at commercial car wash facilities.
- The City may limit the number of minutes of irrigation that an area of turf may receive or a maximum total amount of time during which irrigation at a premise may occur.

Stage 2 Extreme Water Shortage includes all General Conservation and Stage 1 requirements in addition to the following:

- All outdoor watering is prohibited" public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools or other recreational areas.
- No new landscaping is permitted.
- Washing of motor vehicles, boats, trailers, pavement or the exterior of any building or structure is prohibited.

Are There Exceptions To Stage 1 And 2 Regulations?

- A Commercial Outdoor Water Use Permit may be issued by the Public Works Department to businesses that cannot maintain their operations without the use of outdoor water.
- Aquatic Invasive Species (AIS) Trailer/boat decontamination.
- Vegetable gardens have unlimited days of watering during the permissible hours set in the General Conservation requirements.

What Will It Take To Rescind Water Shortage Proclamations?

Stage 1 restrictions will revert to General Conservation restrictions if there are 10 consecutive days of water demand less than or equal to 3 millions gallons per day (MGD) at the Water Treatment Plant.

Stage 2 restrictions step down to Stage 1 when critical infrastructure is repaired, or the U.S. Drought Monitor Index condition changes to severe or less for the identified area.

Are There Penalties For Excessive Water Usage?

- For a violation of General Conservation restrictions, a warning will be issued for the first offense followed by a \$25 fine for each subsequent offense.
- Violation of Stage 1 restrictions will result in a fine not less than \$50 and not more than \$300 for the first offense and increase by \$50 for each subsequent offense.
- Violation of Stage 2 restrictions will result in a fine not less than \$100 and not more than \$500 for the first offense and increase by \$100 for each subsequent offense.
- Third time offenders utilizing more than 50 gallons per minute of water for a prohibited use may have their water shut off.

Water Usage Is Necessary For My Business To Survive. Is There Anything I Can Do?

Looking for ways to waste less water should be a standard operating procedure, but under General Conservation stage, you may operate as normal. If the City enters Stage 1 or Stage 2 restrictions and your business requires water for daily operation, contact the City of Whitefish to obtain a Commercial Outdoor Water Use Permit.

Who Declares The Drought?

Drought conditions are monitored by reviewing the reports from the U.S. Drought Monitor at droughtmonitor.unl.edu

Will My Lawn Be Damaged By Not Watering During The Day?

The timing of watering is important. Cooler temperatures in the evening results in the best time to soak or drip irrigate - this gives the soil all night to absorb the water. Early morning is the best time for sprinklers because grass leaves can absorb water and not be wet and cold all night. For more yard and garden tips visit Montana State Extension: msuestension.org/publications/YardandGarden/MT198915AG.pdf

How Can I Stop The Water From Going On The Pavement?

When using a garden hose, always use a positive shut off nozzle. Consider using drip or soaker hoses when watering areas that quickly dry out. Frequently check the alignment of sprinklers so you are not watering the side of houses, streets or sidewalks. Look for obstructed heads, broken parts or clogged nozzles, which all create spray pattern issues. Water an appropriate amount (no surface runoff) for the time of year and grass conditions. For more information visit www.cityofwhitefish.org.

ORDINANCE NO. 19-12

An Ordinance of the City Council of the City of Whitefish, Montana, adding a new Chapter to Title 8, Water and Sewer, of the Whitefish City Code to establish water conservation restrictions.

WHEREAS, as the City's resident and tourist population continues to grow, withdrawals from Haskill Basin, Whitefish Lake and other sources of municipal water must be balanced with demand to attain sustainability; and

WHEREAS, encouraging and requiring the adoption of water conservation strategies is an effective and low cost means to balance water demands with limited available water supplies and production capabilities; and

WHEREAS, there are numerous benefits for the City and its citizens that flow from implementing water conservation restrictions including potential reductions in customers' water and sewer bills, creating a critical interim supply while additional supply and treatment facilities are being designed and constructed, and reducing peak summer demand thereby reducing short and long-term system costs; and

WHEREAS, the implementation of water conservation restrictions also positively impacts the environment by minimizing the transport of fertilizer, pesticide and other contaminants from runoff to surface waters and deep percolation to ground waters and reducing energy consumption associated with water production, treatment, and distribution; and

WHEREAS, given the City's immediate and long-term limited water supplies and the overall benefits of water conservation, the implementation of water conservation restrictions will promote public health, safety, and the general welfare of citizens.

NOW, THEREFORE, be it ordained by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: A new Chapter is hereby added to Title 8, Water and Sewer, of the Whitefish City Code, as set forth in Exhibit A attached hereto.

Section 3: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 4: This Ordinance shall take effect thirty (30) days after its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
WHITEFISH, MONTANA, THIS 3RD DAY OF JUNE 2019.



John M. Muhlfeld, Mayor

ATTEST:



Michelle Howke, City Clerk

EXHIBIT A

Whitefish City Code Title 8 – Water and Sewer Chapter 5 – Water Conservation

8-5-1: **PURPOSE:** The purpose of this Chapter is to provide the city the means to reduce per capita water demands by requiring its citizens and businesses to comply with prescribed water conservation regulations.

8-5-2: **SCOPE:** This Chapter applies to all municipal water customers of the city, wherever situated, to the extent legally permissible.

8-5-3: **GENERAL CONSERVATION:**

A. Restrictions: The following general conservation restrictions are always in effect:

1. All outdoor watering is prohibited between the hours of 9:00 a.m. and 5:00 p.m.
2. Commercial lodging establishments must provide guests the option of choosing not to have linen washed every day.
3. Watering must not result in coverage of pavement areas or result in excess runoff.
4. All hoses shall be equipped with a positive shut-off nozzle.

B. Audits: The City Utility Billing Department may conduct water audits of usage on any account and require modifications as appropriate to conserve water.

C. Exception: Supervised maintenance of automatic sprinkler systems (such as adjusting, and replacing spray heads, correcting timers, etc.) are excepted from the general conservation restrictions.

8-5-4: **WATER SHORTAGES:**

A. Proclamation: Under the conditions set forth in this Chapter, the Public Works Director, in consultation with the Water Department personnel, may find, and by proclamation declare, a Stage I or Stage II Water Shortage to prevent depleting the water supply for human consumption and sanitation and to produce an orderly and equitable reduction of water consumption.

B. Effect: Immediately upon the issuance of such a proclamation, the regulations and restrictions set forth under this Chapter will become effective and will remain in effect until the proclamation is rescinded.

C. Conditions: A proclamation declaring a water shortage is activated by critical equipment failure, excessive water demand, and/or declaration of drought in the area.

1. Water demand is monitored at the water meter on the line from the water treatment plant to the water treatment plant reservoir.
2. Drought conditions are monitored by reviewing the reports from the US Drought Monitor at <https://droughtmonitor.unl.edu>.

D. Trigger Points:

1. Water shortage proclamations will be declared based upon the following criteria:
 - a. Stage I - Severe Water Shortage: All four water treatment trains in service, or; portions or all of Flathead County in Extreme Drought.
 - b. Stage II - Extreme Water Shortage: Critical water supply infrastructure failure, or; portions or all of Flathead County in Exceptional Drought.
2. Water shortage proclamations will be rescinded based upon the following criteria:
 - a. Stage I - Step down to General Conservation Restrictions: Ten consecutive days of water demand less than or equal to 3.0 MGD.
 - b. Stage II - Step down to Stage I Restrictions: Critical infrastructure repair complete, or; U.S. Drought Monitor Index condition change to Severe or less drought status.

8-5-5: **STAGE RESTRICTIONS:**

- A. Stage I - Severe Water Shortage: If a proclamation declaring a Stage I Water Shortage is issued, the following restrictions become effective immediately:
1. All restrictions set forth in section 8-5-3, General Conservation, remain in effect.
 2. Watering is limited to two days per week in accordance with the following schedule:
 - a. Watering is prohibited on Mondays.
 - b. Single residential properties with odd-numbered addresses may water on Saturday and Wednesday.
 - c. Single residential properties with even-numbered addresses may water on Sunday and Thursday.
 - d. All other properties (multi-unit, HOAs, commercial, industrial, government) may water on Tuesday and Friday.

- e. New turf planting is prohibited.
 - f. Exterior water features must be turned off.
 - g. Car washing is prohibited except at commercial car wash facilities.
 - h. The city may limit the number of minutes of irrigation that an area of turf may receive or a maximum total amount of time during which irrigation at a premise may occur.
- B. Stage II - Extreme Water Shortage: If a proclamation declaring a Stage II Water Shortage is issued, the following restrictions become effective immediately:
- 1. All Stage I restrictions remain in effect.
 - 2. All outdoor watering is prohibited: public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools or other recreational areas.
 - 3. No new landscaping is permitted.
 - 4. Washing of motor vehicles, boats, trailers, pavement or the exterior of any building or structure is prohibited.
- C. Exceptions: The following exceptions apply to both Stage I and Stage II restrictions:
- 1. A Commercial Outdoor Water Use Permit may be issued by the Public Works Department to businesses that cannot maintain their operations without the use of outdoor water.
 - 2. Aquatic Invasive Species (AIS) Trailer/boat decontamination.
 - 3. Vegetable gardens – unlimited days of watering during the permissible hours set forth in section 8-5-3.

8-5-6: **FINES AND PENALTIES:**

- A. Waste: Water uses regulated or prohibited under the Chapter are considered nonessential and continuation of such uses during times of water shortage is deemed to constitute a waste of water, subjecting the users to surcharges, disconnection costs and excess consumption fees.
- B. Fines:
 - 1. Violation of General Conservation Restrictions: A warning will be issued for the first offense followed by a \$25 fine for each subsequent offense.

2. Violation of Stage I Restrictions: A fine of not less than \$50 and not more than \$300 for the first offense, increasing by an additional \$50 for each subsequent offense.

3. Violation of Stage II Restrictions: A fine of not less than \$100 and not more than \$500 minimum for the first offense, increasing by an additional \$100 for each subsequent offense. Third-time offenders utilizing more than 50 gallons per minute of water for a prohibited use may have their water temporarily shut off.

C. Reduction in Flow:

1. The Public Works Department, under authorization of the City Manager and the Public Works Director, may reduce or disconnect the flow of water to any customer determined to be using water in any manner not in accordance with this Chapter during a Stage I or Stage II Water Shortage or in any other situation that may be deemed a risk to public health.

2. All unmetered usage without written consent from the City is considered a threat to public health and may receive a reduction of flow or disconnect of flow whether or not a Stage I or Stage II Water Shortage in effect. This reduction or potential disconnection may occur with or without notice, as judgement of severity has been decided by the City Manager and the Public Works Director.

8-5-7: **OTHER WATER CONSERVATION PROGRAMS:** The city may adopt other water conservation programs such as indoor plumbing reduction strategies, exterior reduction strategies such as low water use landscaping, reduction through education using outreach and public education programs, reduction through public assistance such as leak detection and low-income leak detection and repair assistance.