



## City Council Agenda Bill

<b>SUBJECT:</b>	<b>Agenda Date: May 7, 2019</b>	<b>AB19-079</b>
<b>Public Hearing Cont., Ordinance Adopting NBMC 13.50 Water Conservation</b>	Department/Committee/Individual	
	Mayor Ken Hearing	
	Interim City Administrator – Mark Rigos, PE	
	City Attorney – Eileen Keiffer	
	City Clerk – Susie Oppedal	
	Community & Economic Development – David Miller	X
	Finance – Dawn Masko	
	Public Works – Tom Mohr, PE	
Cost Impact: N/A	Special Projects – Londi Lindell	
Fund Source: N/A		
Timeline: Immediate		
<b>Attachments: Ordinance, Exhibit A – NBMC 13.50</b>		
<p>At the April 2, 2019 City Council meeting the Council conducted a public hearing to consider adoption of a Water Conservation Ordinance (WCO). During the public hearing several members of the public spoke against the WCO. The Snoqualmie Indian Tribe spoke in favor of the WCO. At the end of the meeting the public hearing was continued until May 7<sup>th</sup> to provide a long period for public comment on the WCO. During the one-month period that the hearing was kept open, the City received no additional comments on the WCO.</p> <p>Considering the variety of opinions on the WCO expressed by City Council, staff has provided some options to amending the WCO and one alternative to adopting the WCO:</p> <ol style="list-style-type: none"> <li>1. Reduce the penalty from the third violation from "...up to \$1,000 a day for each violation..." to \$100 a day for each violation (NBMC 13.50.150A); and adopt the WCO as drafted.</li> <li>2. Revise the WCO to meet Council's concerns and adopt it.</li> <li>3. Do not adopt the WCO tonight and instead direct staff to initiate a focused water conservation program to reduce water consumption.</li> <li>4. Increase water rates for consumers who are consuming water volumes far above the average water consumption for similar uses in lieu of adopting the WCO.</li> </ol> <p>The benefits of the WCO is preserving water, a limited natural resource. Ultimately, if customers conserve water they will also benefit by lower water bills from more efficient and reduced water use. In 2015, the entire region experienced a drought which impacted water supply. In the event the City suffers from a similar drought year in future years, the WCO provides tools for City staff to insure all customers' water supplies are protected. Adoption of the Ordinance will express strong implementation of the City's Brand statement and will show civic leadership in environmental stewardship.</p>		
<p><b>APPLICABLE BRAND GUIDELINES:</b> This ordinance supports the following brand spokes: Sustainability &amp; Managed Growth; Consistent delivery of quality basic services; Commitment to invest in the City and foster community engagement and pride; Economic Viability &amp; Balanced Budget; Affordability.</p>		
<p><b>COMMITTEE REVIEW AND RECOMMENDATION:</b> The Transportation &amp; Public Works Committee reviewed this Ordinance at their March 26<sup>th</sup> meeting and recommended forwarding this to the full</p>		

# City Council Agenda Bill

Council for consideration.		
<b>RECOMMENDED ACTION: MOTION to approve AB19-079, an ordinance adopting North Bend Municipal Code 13.50 Water Conservation, as a first and final reading.</b>		
<b>RECORD OF COUNCIL ACTION</b>		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
April 2, 2019	Public Hearing Continued to May 7, 2019	
May 7, 2019		

# ORDINANCE

## AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, APPROVING AND ADOPTING A WATER CONSERVATION CODE UNDER NORTH BEND MUNICIPAL CODE 13.50; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

**WHEREAS**, the City of North Bend desires to conserve the precious resource of water as an integral part of implementing the Sustainability Element of the Comprehensive Plan by supporting the local economy while preserving environmental quality (Comp Plan Policy E. 1. Local Economy and Environmental Quality); and

**WHEREAS**, the City of North Bend and the Sallal Water Association currently provide water service that is not subject to any water conservation controls to avoid over consumption; and

**WHEREAS**, it is the desire of the City of North Bend to proactively conserve water to provide environmental stewardship of this precious resource;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. NBMC Chapter 13.50 (Water Conservation), Adopted:** New Chapter 13.50 of the North Bend Municipal Code (Water Conservation) is hereby adopted as set forth in Exhibit A, attached hereto.

**Section 2. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 3. Effective Date:** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 7<sup>TH</sup> DAY OF MAY, 2019.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Kenneth G. Hearing, Mayor**

\_\_\_\_\_  
**Eileen M. Keiffer, City Attorney**

Published:  
Effective:

**ATTEST/AUTHENTICATED:**

\_\_\_\_\_  
**Susie Oppedal, City Clerk**

**Chapter 13.50  
WATER CONSERVATION**

Sections:

- 13.50.005 Definitions.**
- 13.50.010 Application.**
- 13.50.020 City responsibility.**
- 13.50.030 Water conservation program and landscape guidelines.**
- 13.50.040 Base allocation of water.**
- 13.50.050 Wasteful use of water.**
- 13.50.060 Determination of water conservation stages.**
- 13.50.070 Water use restrictions.**
- 13.50.080 Construction water.**
- 13.50.090 Irrigation system inspections.**
- 13.50.100 Discontinuance of water service.**
- 13.50.120 Unauthorized water use.**
- 13.50.130 Violation declared a nuisance.**
- 13.50.140 Enforcement.**
- 13.50.150 Penalties.**
- 13.50.160 Remedies cumulative.**
- 13.50.170 Variances.**
- 13.50.180 Fire and other emergencies.**

**13.50.005 Definitions.**

- A. “Base Allocation” means the amount of water allocated to each customer class for both interior and exterior use on a monthly or billing cycle basis.
  
- B. “Best Management Practice (BMP)” means a policy, program, practice, rule, regulation ordinance or the use of devices, equipment or facilities that result in more efficient use or conservation of water.
  
- C. “Certified Landscape Irrigation Auditor” means a person certified to perform landscape irrigation audits by a professional trade organization or other educational organization.
  
- D. “City” means the city of North Bend, Washington.
  
- E. “City Administrator” means the City Administrator of the City or their designee unless otherwise stated or indicated by context.

- F. “City Water System” means those facilities within and without the City that the City is obligated to deliver water to within either its water service area or within its Urban Growth Area as defined by the Washington State Growth Management Act.
- G. “Customer” means any person or entity using water supplied by the City or the Sallal water system within the City’s Urban Growth Area. The term includes but is not limited to: tenants of single-family dwellings or duplexes, owners of real property and management companies responsible for property management of real property.
- H. “Department” means the City of North Bend Public Works utilities department.
- I. “Director” means the City’s Public Works Director or their designee unless otherwise stated or indicated by context.
- K. “Discontinued Service” means having the water service turned off by the department.
- L. “Fire Chief” means the fire chief of the Eastside Fire and Rescue fire and emergency medical services agency or their designee unless otherwise stated or indicated by context.
- M. “Irrigation Service” means a water service that is exclusively for landscape irrigation purposes.
- N. “Nonresidential Customer” means a customer of the City’s water system on whose property a residence is not situated.
- O. “Person” means any person, business, firm, partnership, association, corporation, company, entity, or organization of any kind.
- P. “Residential Customer” means a Customer of the City or Sallal Water Association within the City on whose property, whether owned or rented, at least one person resides.
- Q. “Sallal Water Association” means a private member based association with a water service area within portions of the City and portions of the City of North Bend’s UGA.
- R. “Urban Growth Area” or “UGA” means a boundary created pursuant to the Washington State Growth Management Act (Chapter 36.70A RCW) within which the City is obligated to deliver “urban services,” including water service.
- S. “Water Conservation” means the best management practices for the reasonable and efficient use of water for both indoor and outdoor water demands.

T. “Water Conservation Program Guidelines” means the program guidelines developed, maintained, and managed by the Director pursuant to this chapter.

U. “Wasteful Use of Water” is as defined in North Bend Municipal Code Section 13.50.050.

**13.50.010 Application.**

The provisions of this chapter shall apply to all Customers of the City and the Sallal Water Association within the territorial limits of the City.

**13.50.020 City responsibility.**

The City shall have the right to manage water demand for all Customers within the territorial limits of the City and for City Water System Customers outside of the territorial limits of the City but within the City’s UGA.

**13.50.030 Water conservation program and landscape guidelines.**

A. The Director is authorized to develop best management practices for water use.

B. The Director shall oversee this chapter’s implementation, compliance with best management practices, and any laws mandating water conservation.

**13.50.040 Base allocation of water.**

The Director may develop a base allocation for each class of customer account, taking into account the needs and characteristics of each customer class. This base allocation may be used to evaluate compliance with the conservation stage in effect and to encourage the reasonable and efficient use of water.

**13.50.050 Wasteful use of water.**

Any of the following acts or omissions, whether intentional, unintentional, willful, or negligent, shall constitute the wasteful use of water:

A. Water flowing away from a property caused by excessive application(s) of water beyond reasonable or practical irrigation rates, duration of application, or other than incidental applications to impervious surfaces.

B. Causing or permitting an amount of water to discharge, flow, run to waste into or flood any gutter, sanitary sewer, water course or storm drain, or to any adjacent lot, from any tap, hose, faucet, pipe, sprinkler, or nozzle. In the case of irrigation, “discharge,” “flow” or “run to waste” means that water is applied to the point that the earth intended to be irrigated has been saturated with water so that additional applied water then flows over the earth. In the case of washing,

“discharge,” “flow,” or “run to waste,” means that water in excess of that necessary is applied to wash, wet, or clean the dirty or dusty object, such as an automobile, sidewalk, or parking area.

C. Allowing water fixtures or heating or cooling devices to leak or discharge water, except as it applies to condensate drains.

D. Maintaining ponds, waterways, decorative basins, or swimming pools without water recirculation devices or with known leaks, both seen and unseen.

E. Discharging water from, and refilling, swimming pools, decorative basins, or ponds in excess of the frequency reasonably necessary to maintain the health, maintenance, or structural considerations of the pool, basin or pond, as determined by the director.

F. Continued operation of an irrigation system that applies water to an impervious surface or that is in disrepair.

G. Use of a water hose not equipped with a control nozzle capable of completely shutting off the flow of water except when positive pressure is applied.

H. Irrigation of lawns or landscaping when it is raining.

I. Overfilling of any pond, pool, or fountain which results in water discharging from the pond, pool, or fountain.

J. Failure to repair customer pipes, faulty sprinklers, or other water-related fixtures that leak water within five working days, unless the Director informs the Customer that the leak must be repaired more quickly, in which case the Customer shall repair the leak in the time specified by the Director.

K. Irrigating lawns or landscaping between the hours of 10:00 a.m. and 10:00 p.m., unless a variance is granted by the Director.

L. Using potable water from the City Water System for compaction, dust control, or other construction purposes without first obtaining approval from the Director as provided in North Bend Municipal Code Section 13.50.090 and a meter from the City.

M. Installing a nonrecirculating system in any new automatic car wash or new commercial laundry system or failure to utilize current best management practices for water conservation that are industry standards.

**13.50.060 Determination of water conservation stages.**

In determining the City Water System’s water conservation stage, the Director shall determine whether that system’s water supplies available for potable use and mitigation water are sufficient to meet the current customer demands on that system and shall consider, unless otherwise excluded by this section, all relevant factors. The Director shall consider, among other things:

- A. any variations in the reliability of the water supplies available to the City Water System;
- B. availability of nonpotable water to meet nonpotable demands on the City Water System;
- C. the success, or lack thereof, of previous declarations of a less stringent water conservation stage in causing the water-use reductions sought by the City; and
- D. any agreements between the City and local water purveyors for deliveries of additional water supplies to the City. The Director will select the necessary stage for conservation.

**13.50.070 Water use restrictions.**

Water use restrictions during the various conservation stages shall, at a minimum, be as listed below and may be augmented by other restrictions as determined necessary by the City Administrator.

- A. During the stage one (basic stage, which will automatically occur each August 1) conservation stage, the following restrictions shall be enforced:
  - 1. Water will be used for beneficial uses; all wasteful use of water is prohibited.
  - 2. Water shall be confined to the Customer’s property and shall not be allowed to run off to adjoining property or to the roadside ditch or gutter. Care shall be taken not to water past the point of saturation.
  - 3. Free flowing hoses are prohibited for all uses including landscape watering, vehicle and equipment washing, ponds, evaporative coolers and livestock watering troughs. Automatic shut-off devices shall be installed on any hose or filling apparatus in use.
  - 4. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak proof. Pool draining and refilling shall be allowed only to the extent required for health, maintenance, or structural

considerations, and must otherwise comply with all applicable federal, state, and local stormwater management requirements.

5. Irrigation of lawns and other landscaped areas is permitted without restrictions as to the time that watering can occur.

B. During the stage two (water alert determined by the Public Works Director) conservation stage, the following restrictions shall be enforced:

1. All stage one (basic stage) restrictions shall continue to be enforced, except to the extent they are replaced by more restrictive requirements imposed by this section.

2. Landscape and pasture irrigation, except drip irrigation, shall be limited to a maximum of three days per week based on the following odd-even schedule, with drip irrigation, which may be conducted on any day.

a. Customers with street addresses that end with an odd number may irrigate only on Tuesdays, Thursdays, and Saturdays.

b. Customers with street addresses that end with an even number may irrigate only on Wednesdays, Fridays, and Sundays.

c. No irrigation is permitted on Mondays.

3. Hand and manual watering follows the same odd/even day schedule and may be done anytime during the day.

4. Washing of streets, parking lots, driveways, sidewalks, buildings or other hardscape surfaces is prohibited, except as necessary for health, sanitation or fire protection purposes.

5. Restaurants shall serve water only upon specific request.

6. Public and private streetscape landscaping (medians and frontage) may be watered only on the same schedule as Customers with street addresses that end with an even number.

7. No water from the City Water System shall be used for construction purposes such as dust control, compaction, or trench jetting, unless the use is approved by the Director.

C. During the stage three (water crisis) conservation stage, the following restrictions shall be enforced:

1. All stage two restrictions shall continue to be enforced, except to the extent they are replaced by more restrictive requirements imposed by this section.
2. Landscape and pasture irrigation, except drip irrigation, shall be limited to a maximum of one day per week based on the following odd-even schedule.
  - a. Customers with street addresses that end with an odd number may irrigate only on Tuesdays.
  - b. Customers with street addresses that end with an even number may irrigate only on Wednesdays.
  - c. No irrigation is permitted on Mondays, Thursdays, Fridays, Saturdays and Sundays.
3. Public and private streetscape landscaping (medians and frontage) may be watered only on the same schedule as customers with street addresses that end with an even number.
4. No water from the City Water System shall be used to drain and refill swimming pools, artificial lakes, ponds, or streams and no new permits for swimming pools, artificial lakes, ponds or streams shall be issued until the water conservation stage has been declared to be stage one.
5. Water use for ornamental ponds and fountains is prohibited unless required to maintain existing vegetation or to sustain existing fish/animal life.
6. New or expanded landscaping on properties is limited to drought-tolerant trees, shrubs, and ground cover and no new turf or grass shall be planted, hydro-seeded or laid.
7. Washing of automobiles or equipment shall be done on the lawn or at a commercial establishment that uses recycled or reclaimed water.
8. All water leaks shall be repaired within twenty-four hours of notification by the utilities department or service may be discontinued.

9. Flushing of sewers or fire hydrants is prohibited, except in case of an emergency and for essential operations.
10. Flushing of fire protection systems is prohibited, except during required maintenance or servicing of the system.
11. No water from the City Water System shall be used for construction purposes such as dust control, compaction, or trench jetting, unless the use is necessary for fire protection system testing, maintenance, or acceptance by the Fire Chief.

**13.50.080 Construction water.**

Water for construction purposes obtained from the City's water supply may only be used in the City's water service area. Water for dust control, compaction, and other construction activities shall be subject to the following conditions:

A. Use of water from the City Water System for construction purposes shall require a City-issued construction water meter and a refundable security deposit that includes a monthly meter rental fee as established by the department. Prior to such water use, the construction water customer must obtain approval from the Director to use the water for construction and agree to comply with all of the requirements of this chapter. The Director may impose such additional conditions on the use of such water, including, but limited to, conditions regulating the purpose for the use of the water, rate of use, location, frequency and quantity of use, and such other conditions as deemed reasonably necessary by the director to effectuate the purposes of this chapter. The construction meter shall be located by the Department and shall only be relocated or removed by the Department. Unauthorized relocation or removal of a construction meter shall be deemed theft and the offender shall be subject to the penalties set forth in North Bend Municipal Code Section 13.50.170.

B. Construction water shall only be drawn through a construction water meter. Construction water drawn through an unmetered connection shall be deemed theft of water and shall be grounds for the deposit on the construction meter to be forfeited. The offender shall also be subject to the penalties specified in North Bend Municipal Code Section 13.50.150. In the event the person identified as drawing water without a metered connection does not have a meter, the action shall be deemed theft and the offender shall be subject to the penalties specified in North Bend Municipal Code Section 13.50.150.

C. These requirements for construction water use may be modified or supplemented by other conservation measures as determined appropriate by the director for the declared conservation stage. The Director may terminate the approval granted to use the construction water based on water use restriction stages, violation of the terms and conditions of use, and/or for conduct that amounts to wasteful use of water.

**13.50.090 Irrigation system inspections.**

All customers, public and private, with a parcel over one acre and with a separate irrigation service shall conduct an annual irrigation system inspection prior to the start of the irrigation season on April 1<sup>st</sup> of each year. This inspection shall be performed by a Certified Landscape Irrigation Auditor or licensed landscape or irrigation contractor and the results forwarded to the Department in accordance with the procedure outlined in the water conservation program guidelines. Single-family residences are exempt unless the Director determines there has been wasteful use of water on a customer's premises and the conditions have not been corrected within five days after the City provided written notification to discontinue such practice.

Customers that have a current irrigation system check-up on file with the Department will be allowed one courtesy water waste warning before being deemed in violation of this chapter.

**13.50.100 Discontinuance of water service.**

The Director may discontinue service to a City Water System Customer's connection to the City Water System at the time that the Director issues to the Customer: (A) a notice of a third violation of this chapter during the stage one (basic stage), or stage two (water alert) within two months; (B) a notice of a second violation of this chapter during a stage three (water warning) or a stage four (water crisis) within one month; or (C) a notice of a second violation during a stage five (water emergency), irrespective of time. If the Customer's water service is discontinued due to violations of this chapter, the customer shall be subject to the penalties specified in North Bend Municipal Code Section 13.50.150. Upon seeking renewed service from the City, the Customer shall pay the City's water turn off/on service fee as set by ordinance or resolution of the North Bend City Council.

**13.50.120 Unauthorized water use.**

A. An illegal connection to the City Water System shall either be metered by the property owner within the time specified by the Department or disconnected at the discretion and direction of the Director, and the offender shall be subject to the penalties specified in North Bend Municipal Code Section 13.50.150.

B. Unauthorized use of a fire hydrant, public or private, for anything other than fire flows or permitted and metered construction water shall subject the offender to the penalties specified in North Bend Municipal Code Section 13.50.150 and Chapter 8.36, North Bend Fire Code.

**13.50.130 Violations declared a nuisance.**

Any activity in violation of this chapter will adversely and seriously affect the public health, safety, and welfare, is hereby declared to be a public nuisance and may be remedied as provided in this chapter, any other applicable portion of the North Bend Municipal Code or applicable state law.

**13.50.140 Enforcement.**

A. This chapter shall be enforced pursuant to the provisions of this Chapter, Chapters 1.20 and 8.08 of the North Bend Municipal Code, and any other enforcement mechanism available to the City under the North Bend Municipal Code and/or applicable law.

B. Unless otherwise expressly provided in this chapter, the Director shall enforce the provisions of this chapter.

**13.50.150 Penalties**

A. The goal of the provisions of this chapter are to achieve voluntary compliance from the Customer, and the City will take reasonable measures to assure the Customer has information available to promptly and efficiently address water use issues. Where voluntary compliance cannot be achieved through initial contacts and warnings, then appropriate administrative penalties and further action are required. Except as otherwise provided herein, violations of any provision of this chapter shall be addressed as follows:

<b>Violation</b>	<b>Penalty</b>
First	Personal or written notification of the violation (or both)
Second	Written notification and issuance of a notice to correct violation within no more than 3 months from the date of violation.
Third	Issuance of an administrative penalty up to \$1,000 a day for each violation; discontinued water service and/or other penalties as provided in the Notice of Violation and/or as determined by the Director

**B. Penalties.**

- Each of the remedies identified in Chapters 1.20 and 8.08 of the North Bend Municipal Code shall be available for enforcement of the provisions of this chapter. Each

day a violation of this chapter continues, it shall be deemed a separate violation subject to a penalty of up to one thousand dollars per day.

2. In addition to any other penalties provided by this chapter, if a Customer of the City Water System violates any of the water use restrictions during a stage two, three, four, or five water conservation stage, and such conditions are not corrected within five days after the Customer is given written notice, the City is authorized to do any or all of the following:

a. Meter any flat rate service connection and apply the regularly established metered rates. If the parcel has over two thousand five hundred square feet of landscaping, a separate landscape meter may be installed. Costs for the water meters and installation shall be paid by the property owner.

b. If the service is metered, the Customer shall be billed at twice the metered rate during the time that the violation continues. If more than two thousand five hundred square feet are irrigated and the parcel does not have a separate irrigation meter, then an irrigation meter may be installed. The Customer shall be billed at twice the metered rate during the time the violation continues. Costs for the water meter, and for any required cross-connection controls and installation, shall be paid by the property owner.

C. Appeal. There shall be no appeal of the water use restrictions identified in North Bend Municipal Code Section 13.50.070. Any appeal of administrative penalties imposed pursuant to this Chapter, any order to install a mandatory water meter, discontinue water service, or any other orders or decisions of the Director shall be appealable to the City Administrator. Such appeal must be made to the City Clerk within fourteen (14) days of the Customer's receipt of the notice of the penalties being appealed. Such appeal shall clearly state the factual and/or legal basis for such appeal and be accompanied by a \$35.00 appeal fee. The City Clerk shall forward that appeal to the City Administrator, the Director, and the City Attorney. The City Administrator shall make best efforts to issue a decision on such appeal within twenty one (21) days of the date such appeal is filed with the City Clerk. The City Administrator's decision shall be final and there shall be no right of appeal to the City Hearing Examiner nor the City Council.

**13.50.160 Remedies cumulative.**

The remedies set forth in this chapter are cumulative to any other remedy available to the city. Pursuit of one remedy shall not preclude any other remedy, and nothing contained in this chapter

shall limit or be deemed to prevent the city from pursuing any other remedy available to the city under the North Bend Municipal Code or other applicable law.

**13.50.170 Variances.**

In unusual circumstances, application of this chapter may cause unnecessary hardships or results inconsistent with this chapter's purposes and intent. Therefore, variances to some of the requirements of this chapter may be appropriate as delineated below.

A. **Authority to Grant Variances.** The Director may grant variances from this chapter's provisions during a stage one, two, or three conservation stage as specified in North Bend Municipal Code Section 13.50.070 , Water use restrictions. During a stage four or five conservation stage, any previously granted variances shall be suspended without notice, unless such variances are based on a critical health need as determined by a licensed medical professional, with such determination being provided to the Director.

B. **Other Variances.** Customers who seek a variance from this chapter for any reason other than the needs of new landscaping, shall submit to the Department a written request for variance, setting forth, in detail, the extraordinary circumstances that support the application. The Director may approve the application in their discretion; provided, that the variance allows the applicant to use only the minimum amount of water in addition to that allowed by this chapter that the Director reasonably believes is necessary to satisfy the circumstances that support the application. Any such variance shall terminate one year after its issuance, subject to an application for its renewal.

**13.50.180 Fire and other emergencies.**

Nothing in this chapter limits or may be construed as limiting the availability of water for extinguishing fires, meeting the demands of any other similar emergency, or routine inspection and maintenance of fire hydrants.