

**ORDINANCE NO. 26-3471**

**AN ORDINANCE AMENDING CHAPTER 7, SECTIONS 7-1003, 7-1004, 7-1005, AND 7-1010 OF THE CITY CODE OF THE CITY OF ABILENE PERTAINING TO THE WATER CONSERVATION PLAN AND PROGRAM, AND CONSERVATION MEASURES DURING A DECLARED WATER WATCH, WATER WARNING, AND WATER EMERGENCY WITHIN THE CITY OF ABILENE, KANSAS; AND REPEALING EXISTING SECTIONS 7-1003, 7-1004, 7-1005 AND 7-1010.**

**BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:**

**SECTION 1.** Section 7-1003 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

**7-1003. Water conservation plan and program.**

- (a) The City hereby adopts the City of Abilene Municipal Water Conservation Plan, as the same may be amended from time to time by resolution of the Governing Body (the "Plan"). The Plan establishes long-term water use efficiency practices and a staged drought response framework consisting of a Water Watch (Stage 1), Water Warning (Stage 2), and Water Emergency (Stage 3), each with defined goals, triggers, and actions.
- (b) The City Manager is authorized to declare and terminate a Water Watch in accordance with the Plan and to implement the voluntary and administrative actions identified therein.
- (c) The Governing Body is authorized to declare and terminate a Water Warning or Water Emergency by resolution in accordance with the Plan. In addition to any specific triggers set forth in the Plan, a Water Warning or Water Emergency may be declared whenever the Governing Body determines that conditions exist which are necessary to protect the public water supply or ensure the availability of water for essential uses. Any such declaration or termination shall be published once in the official city newspaper and shall be effective as stated in the resolution.
- (d) Each declaration shall specify the applicable stage, the effective date, and any mandatory conservation measures authorized by this article and the Plan.
- (e) Year-round water use regulations established elsewhere in this Code, including prohibitions on waste of water and restrictions on outdoor watering during peak hours, apply at all times regardless of drought stage. Such baseline regulations are supplemented, not replaced, by stage-specific measures implemented under this article.

**SECTION 2.** Section 7-1004 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

**7-1004. Voluntary conservation measures; water watch.**

Upon declaration of a Water Watch, the City Manager may:

- (a) Implement the education, communication, and management actions identified for Stage 1 in the Plan;
- (b) Request that customers voluntarily curtail non-essential water uses, including outdoor irrigation and other discretionary uses; and
- (c) Encourage efficient indoor and outdoor water use consistent with the Plan and the year-round water use regulations of this Code.

Voluntary measures under this section are advisory in nature and do not create a municipal offense.

**SECTION 3.** Section 7-1005 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

**7-1005. Mandatory conservation measures; water warning and water emergency.**

- (a) Mandatory conservation measures may be imposed only by resolution of the Governing Body upon declaration of a Water Warning or Water Emergency pursuant to Section 7-1003. The resolution shall identify the applicable measures and their effective date.
- (b) During a declared Water Warning, the Governing Body may impose one or more of the following mandatory conservation measures, in such combination as the Governing Body determines is appropriate, consistent with the Plan:
  - 1. Limits on outdoor irrigation of lawns and landscaped areas to no more than two (2) days per week per property;
  - 2. Prohibitions on use of water for decorative fountains, ornamental water features, and similar aesthetic uses, except where water is fully recirculated;
  - 3. Restrictions on washing of vehicles, driveways, sidewalks, parking areas, and building exteriors, except at commercial facilities that recycle water or where required for public health or safety;
  - 4. Restrictions on filling or refilling swimming pools, hot tubs, and similar recreational water features, except for initial filling of newly constructed pools or where necessary to maintain structural integrity; and
  - 5. Such other reasonable restrictions on water use as are determined by the Governing Body to be necessary to protect the public water supply or ensure the availability of water for essential uses.
- (c) During a declared Water Emergency, the Governing Body may impose one or more of the measures authorized in subsection (b) and, in addition, may impose any of the following, in such combination as the Governing Body determines is necessary:

1. Suspension of new water connections, with exceptions for fire hydrants and connections required under agreements approved prior to the declaration;
2. Restrictions on one or more classes or types of water use, in whole or in part;
3. Water rationing based on reasonable formulas;
4. Suspension of non-essential municipal water uses;
5. Adoption of emergency water rates pursuant to Section 7-1006;
6. Extension of restrictions to private wells within the City limits to the extent authorized by state law and approved by the Kansas Department of Agriculture – Division of Water Resources; and
7. Such other reasonable restrictions on water use as are determined by the Governing Body to be necessary to protect the public water supply or ensure the availability of water for essential uses.

(d) Mandatory measures imposed under this section remain in effect until modified or rescinded by action of the Governing Body.

**SECTION 4.** Section 7-1010 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

**7-1005. Municipal offense.**

Violations of this article, including any mandatory conservation measure adopted by resolution pursuant to this article, shall be a municipal offense and may be prosecuted in Municipal Court. Any person so charged and found guilty in Municipal Court of violating the provisions in this article shall be guilty of a municipal offense. Each calendar day in which a violation is observed shall constitute a separate offense. The penalty for an initial violation shall be a mandatory fine of One Hundred Dollars (\$100.00). In addition, such customer may be required by the Court to serve a definite term of confinement in the City or County jail, which shall be fixed by the Court and which shall not exceed thirty (30) days. The penalty for a second or subsequent conviction shall be a mandatory fine of Five Hundred Dollars (\$500.00). In addition, such customer may be required by the Court to serve a definite term of confinement in the City or County jail, which shall be fixed by the Court and which shall not exceed thirty (30) days.

**SECTION 5.** Existing Sections 7-1003, 7-1004, 7-1005, and 7-1010 are hereby repealed.

**SECTION 6.** This ordinance shall be in full force and effect following its adoption and publication once in the official city newspaper by the following summary:

**Ordinance No. 26-3471 Summary**

On January 26, 2026, the City Commission passed Ordinance No. 26-3471. The ordinance amends existing City Code Sections 7-1003, 7-1004, 7-1005, and 7-1010, pertaining to the water conservation plan and program, and conservation measures during a declared water watch, water warning, and water emergency within the City of Abilene, Kansas. A complete copy of the ordinance is available online at [www.abilenecityhall.com](http://www.abilenecityhall.com) or in the office of the City Clerk, 419 N.

Broadway Street in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel.

APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas, this 26<sup>th</sup> day of January, 2026.

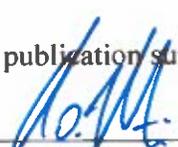


  
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Brandon Rein, Mayor

Attest:

  
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Shayla L. Mohr, CMC, City Clerk

The publication summary set forth above is certified the 26<sup>th</sup> day of January, 2026.

  
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Aaron O. Martin, Legal Counsel