

**ORDINANCE NO. 2262**

**AN ORDINANCE AMENDING BEND CODE 14.10.040**

Findings:

- A. A primary benefit of the robust municipal water utility is the firefighting capability it provides to the community.
- B. The City and community value the presence of firefighting infrastructure within fire prone areas within and beyond the City's UGB. Most recently, the presence of this water was relied upon for fighting the Two Bulls Fire (June 2014).
- C. The City owns and operates a robust municipal water utility with capacity to serve current and future growth of the community subject to water and system availability.
- D. The City values sound utility delivery and management and seeks to maximize efficient delivery of water to customers in close proximity and within serviceable areas within and beyond the City's UGB subject to Statewide Planning Goal 11.
- E. Larger water utility systems tend to be better managed, leading to reduced break downs and water leaks; they also tend to have better resource management of their water supplies, better policies and emergency procedures in times of drought or reduced supply.
- F. It is in the best interest of the utility and customers to avoid overlapping water service utility district boundaries.
- G. The City and community seek to protect and conserve use of one of the most valuable commodities within the High Desert, water, through continuously improving the efficient water delivery system (loss rate of less than 4%).
- H. Water delivery systems constructed to City standards and specifications assure long term efficient delivery and allow maintenance by utility staff to maintain efficiency in delivery.
- I. The City and community seek to avoid the potential for possibly hundreds of exempt wells in rural residentially zoned areas as development occurs due to the impact on local water tables, the lack of regulation to assure efficiency with such systems and the fact that such systems are not required to participate in the Deschutes Groundwater Mitigation Program.
- J. The City and community value the ability to promote, monitor and enforce regional conservation practices and necessary regulations to conserve the precious resource of water within and beyond the UGB.
- K. Goal 11 of the Statewide Planning Goals & Guidelines permits water service within non-urban areas so long as the provision of such water is not relied upon to increase residential densities. Deschutes County rural residential zoning districts do not

allow bonus densities based on availability of water and private water sources could provide service to allow equal residential densities.

L. Water system coordination would contribute to improvements in public health, groundwater resource management, and resource protection and planning. Identifying future service areas provides a framework for coordinated water system planning and ultimately, provides water service in those areas not currently served.

M. As part of the UGB process, the City intends to amend its Water Public Facility Plan, Comprehensive Plan and Inter-governmental Agreements to define its water service territory and increase water system coordination in the future.

Based on these findings, the City of Bend ordains as follows:

Section 1. City of Bend Code 14.10.040 is amended by deleting Subsection A and amending the remaining language to read as follows:

The City may provide water service outside the City limits at its discretion and only if the property owner enters into a consent to annexation contract with the City.

Section 2. All other provisions of the Bend Code remain in effect and unchanged.


First Reading: March 16, 2016

Second Reading and Adoption by Roll Call Vote: April 6, 2016,

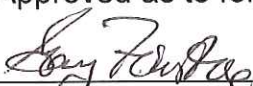
Yes:	Jim Clinton, Mayor	No:	None
	Doug Knight		
	Victor Chudowsky		
	Sally Russell		
	Nathan Boddie		
	Casey Roats		
	Barb Campbell		

  
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Jim Clinton, Mayor

ATTEST:

  
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Robyn Christie, City Recorder

Approved as to form:

  
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City Attorney's Office