

**Drought Contingency Plan
for a Retail Public Water Supplier**
Texas Commission on Environmental Quality

City of Alvarado, Texas

104 W. College Street, Alvarado, TX 76009

CCN # 10916 PWS #s 1260001

May 1, 2012

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Alvarado hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties in Section X. of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Alvarado water department by means of Public Hearing at the regular Council meeting held on May 21, 2012.

Section III: Public Education

The City of Alvarado will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be

provided by means of utility bill inserts, and will be posted on the City's website.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Alvarado is located within the Region G and Region C water planning areas and the City of Alvarado has provided a copy of this Plan to the North Texas Region / Brazos Region water planning groups.

Section V: Authorization

The City Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect health, safety, and welfare. The City Manager, or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Alvarado. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnership, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels, and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the

efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by the City of Alvarado.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0,2,4,6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: the use of water for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf course, parks, and right-of-way and medians.

Non-essential water use: water uses that are neither essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and

- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

The City Manager, or his/her designee shall monitor water supply and/or Demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the Specified “triggers” are reached.

Stage I: Voluntary Water Conservation

Stage I will begin: Every April 1st, the utility will mail a public announcement to its customers and a notice will be posted on the City of Alvarado’s website.

Stage I will end: Every September 30th, the utility will mail a public announcement to its customers and a notice will be posted on the City of Alvarado’s website.

Utility Measure: This announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water.

Water Use Restrictions: Water customers are requested to voluntarily limit the use of water for nonessential purpose and to practice water conservation.

Stage II: Mild Water Shortage Conditions

Stage II will begin: When the water usage reaches 60% of total capacity.

Stage II will end: When water usage drops below 60% of total capacity for 10 consecutive days. Stage I will become operative.

Utility Measure: A notice will be posted on The City of Alvarado’s website and information sent by CTY-Connect-the call around.

Water Use Restrictions: Water customers are restricted from outdoor watering during the day except by hand-held hose, faucet-filled bucket/watering can, or drip irrigation. Customers using hose –end sprinklers / irrigation systems shall refrain from use except between the hours of 12:00 midnight and 8:00 a.m.; addresses ending in an even number (0, 2, 4, 6, 8) shall be limited to Monday’s and Thursday’s, odd addresses (1, 3, 5, 7, 9) shall be limited to Tuesday’s and Friday’s.

Target: Achieve a 10% reduction in total water usage.

Stage III: Moderate Water Shortage Conditions

Stage III will begin: When the water usage reaches 75% of total capacity.

Stage III will end: When water usage drops below 75% of total capacity for 10 consecutive days. Stage II will become operative.

Utility Measures: A notice will be posted on the City of Alvarado’s website and notification sent by CTY-Connect-the call around.

Water Use Restrictions: Water customers are restricted from outdoor watering during the day except by hand-held hose, faucet-filled bucket/watering can, or drip irrigation. Customers using hose –end sprinklers / irrigation systems shall refrain from use except between the hours of 12:00 midnight and 8:00 a.m.; addresses ending in an even number (0, 2, 4, 6, 8) shall be limited to Monday’s, odd addresses (1, 3, 5, 7, 9) shall be limited to Tuesday’s. No outdoor washing of any motor vehicle, motor bike, boat, trailer, or other vehicle shall be allowed at any time, except on the premises of a commercial car wash. Use of water to fill a pool shall only be done during the normal times listed for watering. Operation of any ornamental fountain or pool is prohibited except where necessary to support aquatic life. Wash down of any sidewalk, wall away, driveway, parking lot, tennis court, building, or other hard-surfaced areas shall be prohibited.

Target: Achieve a 25% reduction in total water usage.

Stage IV: Severe Water Shortage Conditions

Stage IV will begin: When the water usage reaches 85% of total capacity.

Stage IV will end: When the water usage drops below 85% of total capacity for 10 consecutive days. Stage III will become operative.

Utility Measures: A notice will be posted on the City of Alvarado's website and notification sent by CTY-Connect-the call around.

Water Use Restrictions: Water customers are restricted from outdoor watering during the day except by hand-held hose, faucet filled bucket / watering can, or drip irrigation. All other outdoor use of water is prohibited. Commercial car wash will be allowed to operate.

Target: Achieve a 35% reduction in total water usage.

Stage V: Critical Water Shortage Condition

Stage V: When the water usage reaches 90% of total capacity.

Stage V: When the water usage drops below 90% of total capacity for 10 consecutive days. Stage IV will become operative.

Utility Measures: A notice will be posted on the City of Alvarado's website and notification sent by CTY-Connect-the call around, news, media (i.e., radio, TV, newspaper)

Water Use Restrictions: All outdoor water use is completely prohibited. This includes commercial car washes.

Target: Achieve a 40% reduction in total water usage.

Section IX: Water Allocations

In the event that water shortage conditions threaten public health, safety, and welfare, the City Manager is hereby authorized to allocate water when Stage IV conditions are met according to the following plan:

Single Family Residential Customers: The allocation to residential customers residing in a single-family dwelling shall be:

8,000 GALLONS PER MONTH

“Single-family dwelling” means the residential premises secured by the customer’s meter.

A surcharge of \$6.00 / thousand gallons of water shall be charged for each 1,000 gallons of water used over the allocation. This fee is additional to the current water rate structure and shall be considered cumulative.

Multi-Family Residential Customers: The allocation to multi-family dwelling units (apartments, mobile home parks, etc.) where more than one dwelling unit is metered shall be:

6,000 GALLONS PER MONTH PER DWELLING UNIT

A dwelling unit may be claimed under this provided whether it is occupied or not.

A surcharge of \$6.00 / thousand gallons of water shall be charged for each 1,000 gallons of water used over the allocation. This fee is additional to the current water rate structure and shall be considered cumulative.

Commercial Customers: The allocation for each commercial customer shall be based on:

75% OF CUSTOMERS 12 MONTH AVERAGE

A commercial customer’s usage is based on the average of the previous 12 months. If billing history is shorter an average of the monthly usage is used to decide the allocation.

A surcharge of \$6.00 / thousand gallons of water shall be charged for each 1,000 gallons of water used over the allocation. This fee is additional to the current water rate structure and shall be cumulative.

A customer may appeal an allocation as established under this Plan to the City Manager.

Section X: Enforcement

No person shall knowingly or intentionally allow the use of water from the City of Alvarado for residential, commercial, governmental, or any other

purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage whereas allocation of use was established at the time pursuant to action taken by the City Manager, or his/her designated in accordance with provisions of this Plan.

Any person who violates this Plan shall be given a written notice of first offense, (i.e., warning citation) any subsequent violation is considered a misdemeanor and upon conviction shall be punishable by a fine of not less than \$100.00 and not more than \$500.00. Each day that a violation occurs shall constitute a separate offense. If a person is issued three or more citations for violations to the Plan the City Manager shall upon due notice to customer, be authorized to discontinue water service. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$150.00, and any other costs incurred by the City of Alvarado in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the District Court.

Any person, including a person classified as a water customer of the City of Alvarado, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator. Parents shall be presumed to be responsible for violations of their minor children, whereas a violation committed by a child occurred on the property within the parent's control.

A Police Officer or Code Enforcement Officer may issue a citation to person he / she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him / her to appear in the Municipal Court on the date shown on the citation.

Section XI: Variances

The City Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- a. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- b. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the City of Alvarado within five (5) days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his/her designee, and shall include the following:

- a. Name and address of the petitioner(s).
- b. Purpose of water use.
- c. Specific provision(s) of the Plan from which the petitioner is requesting relief.
- d. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.
- e. Description of the relief requested.
- f. Period of time for which the variance is sought.
- g. Alternative water use restrictions or other measures that petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date
- h. Other pertinent information.

Variances granted by the City of Alvarado shall be subject to the following conditions, unless waived or modified by the City Manager or his/her designee:

- a. Variances granted shall include a timetable for compliance.
- b. Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of the Plan occurring prior to the issuance of the variance.