

ORDINANCE NO. 773

AN ORDINANCE OF THE CITY OF LAMPASAS, TEXAS PROVIDING FOR AN INTERIM DROUGHT CONTINGENCY AND WATER EMERGENCY PLAN; PROVIDING FOR A PENALTY CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Lampasas, Texas recognizes the need to plan for the staged implementation of water conservation and emergency planning measures to provide for the reasonable and beneficial use of water during potential drought and water shortage conditions, and

WHEREAS, the City Council of the City of Lampasas, Texas has determined the need to place into action certain interim conditions that set forth water reduction measures prior to an event of actual water supply emergency while planning for these long term conservation and beneficial use measures, and

WHEREAS, the City of Lampasas Interim Drought Contingency and Water Emergency Plan is made up of four (4) phases, each phase indicating the condition of increased water shortage and steps involved in lessening the impact of such shortages, and

WHEREAS, it is the intent of the Plan to distribute the burden of water demand reduction equally among all water customers and pursue in the future a more detailed plan,

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMPASAS, TEXAS:

Section 1. The City Council hereby approves and adopts the City of Lampasas Interim Drought Contingency and Water Emergency Plan and commits to the implementation of this interim program according the procedures set forth in this adopted plan until such time as further investigation and study has been completed and a more comprehensive final program established.

Section 2. It is declared that the water conditions prevailing within the City of Lampasas service area be protected for the general welfare and requires that the water resources available be put to their maximum beneficial use; that the waste, unreasonable use or unreasonable method of use of water be prevented; that the conservation of water be promoted and enforced considering the most reasonable and beneficial use of water for the interests of the people of the City of Lampasas and its service area; and for the general public health and welfare.

Section 3. The provisions of this Ordinance shall apply to all persons, political entities, customers, businesses and property utilizing the City of Lampasas water system wherever situated.

Section 4. The City Manager, or their designee, shall be the official responsible for the implementation of this Plan and its enforcement. *Any water rationing or service termination recommended by the City Manager, or designee, under Phases I through II of the plan will be reviewed and confirmed by the City Council prior to implementation and after the designation of water conservation conditions by the City Manager. Any water rationing or service termination ordered by the City Manager, or designee, under Phases III through IV of the plan will be reviewed and confirmed by the City Council as soon as possible, but no later than 96 hours after the designation of water conservation conditions by the City Manager.*

Section 5: The Following Guidelines are adopted:

Phase I

Voluntary Water Conservation Management

The City Manager, or designee, shall formally declare the need for voluntary water conservation management when:

- notification from the water supplier is received of the need to do so and shall continue until notification is rescinded, or
- maximum average daily consumption reaching 80 % production/distribution capacity, or,
- weather conditions indicate a mild drought for an extended period, or,
- a mechanical/electrical failure occurs within the system that will require an extended period of time to repair:

Based upon the formal declaration of the City Manager of voluntary Water conservation management, the following steps would be followed:

- a) Increase effort to inform the public on water saving tips, water saving devices, and the water conservation ordinance,
- b) Individually notify major commercial and industrial users of the request for voluntary conservation,
- c) Increase efforts to detect and repair municipal water- leaks in the distribution system,
- d) Request consumers to only water lawns and gardens during the hours after 7 p.m. in the evening and before 10:00 a.m. in the mornings, and/or request consumers to apply an odd/even calendar day water program corresponding to their resident address,
- e) Request operation of ornamental fountains or waterfalls drawing water from the City water supply system to be operated only on weekends or special events,
- f) Curtail all public water used for municipal operations to off peak hours,
- g) Reduce the consumption of water from fire hydrants to only those uses of fire protection and permitted use, i.e. fire hydrant meters.

Phase II

Moderate Water Conservation Management

The City Manager, or designee, shall formally declare the need for moderate water conservation management when:

- notification from the water supplier is received of the need to do so and shall continue until notification is rescinded, or
- maximum average daily consumption reaching 90 % of production/distribution capacity for 3 consecutive days, or,
- weather conditions indicate a drought for an extended period and are considered to be in drought classification by prediction of long, cold or dry periods, or,
- a mechanical/electrical failure occurs within the system that will require an extended period of time to repair

Based upon the formal declaration of the City Manager of moderate water conservation management, the following steps would be followed:

- a) Continue efforts based on Phase I compliance,
- b) Request consumer to curtail outdoor water use to only essential needed uses,
- c) Request that the operation of ornamental fountains and waterfalls be curtailed or ceased,
- d) Suspend all public municipal water use except for essential functions,
- e) Prohibit all water waste. Water waste is defined as any water flowing freely into the street gutter or storm drain, including failure to repair a controllable leak
- f) Restrict watering lawns, gardens or the washing of cars, trucks, boats and other such items by customers to the hours, days, or odd/even numbering as specified in Phase I, or set out by declaration of special requirements from the City Manager (use of positive shut-off nozzles for this event is mandatory) and restrict the rise of mechanical irrigation pumps as specified in the declaration,
- g) Restrict the filling, re-filling or adding of water from the distribution system to swimming pools, hot tubs, wading pools or other such items to the days, hours and odd/even numbering as set out in item t) as stated above,
- h) Restricted watering of City Parks and/or athletic fields.
- i) City shall review any and all requested new connections, including new/existing development, to the system and perform an impact analysis to determine whether the connection(s) shall be allowed. Adverse impact results will automatically deny any future connections until the conservation emergency is concluded and the City can meet all requirements mandated by law,
- j) Restrict the consumption of water from fire hydrants to only those uses of fire protection and permitted use.

Phase III

Mandatory Water Conservation Management

The City Manager, or designee, shall formally declare the need for mandatory water conservation management when:

- notification from the water supplier is received of the need to do so and shall continue until notification is rescinded, or
- Average daily water consumption reaches 95 % of production/distribution capacity and daily water consumption will not enable storage levels to be adequately maintained, or,
- weather conditions indicating a drought for an extended period and are considered to be in drought classification by prediction of long, cold or dry periods, or,
- a mechanical/electrical failure occurs within the system that will require an extended period of time to repair, or,
- water system is contaminated, whether intentionally or accidentally, a severe condition is reached immediately upon detection, or,
- water system fails, from acts of God (i.e., tornadoes, hurricanes, etc.) or man, a severe condition is reached upon detection

Based upon the formal declaration of the City Manager of mandatory water conservation management, the following steps would be followed:

- a) Prohibit all outdoor washing, including but not limited to car washing, pavement washing and window washing
- b) Prohibit all lawn and garden irrigation except during the hours of 12 midnight to 6:00 a.m. and 9:00 p.m. to 12 Midnight, using a single hand held hose and prohibit the use of mechanical irrigation pumps except as specified in the declaration,
- c) Prohibit the filling, re-filling or adding water to swimming pools, hot tubs, wading pools, etc.
- d) Require consumer to terminate outdoor water use to only essential needed uses,
- e) Require that the operation of ornamental fountains and water falls cease,
- f) Suspend all public municipal water use except for essential functions
- g) Prohibit all water waste. Water waste is defined as any water flowing freely into the street gutter or storm drain, including failure to repair a controllable leak.
- h) City shall review any and all requested new connections, including new/existing development, to the system and perform an impact analysis to determine whether the connection(s) shall be allowed. Adverse impact results will automatically deny any future connections until the conservation emergency is concluded and the City can meet all requirements mandated by law; or, deny all new connections by declaration of the City.
- i) Increase restrictions of efforts instituted in Phases I and II.

Phase IV

Water Emergency

The City Manager, or designee, shall formally declare the need for emergency water conservation management when:

- notification from the water supplier is received of the need to do so and shall continue until notification is rescinded, or
- Average daily water consumption reaches 95 % of production/distribution capacity and daily water consumption will not enable storage levels to be adequately maintained for three consecutive days, or,
- weather conditions indicating a drought for an extended period and are considered to be in drought classification by prediction of long, cold or dry periods, or,
- a mechanical/electrical failure occurs within the system that will require an extended period of time to repair, or,
- water system is contaminated, whether intentionally or accidentally, a severe condition is reached immediately upon detection, or,
- water system fails, from acts of God (i.e., tornadoes, hurricanes, etc.) or man, a severe condition is reached upon detection

Phase IV may be instituted without having first entered into any one of the previous three (3) phases. At this time phase III plus the following will apply:

Based upon the formal declaration of the City Manager of mandatory water conservation management, the following steps would be followed:

- a) The system priority for indoor water service will be based upon the following, which are listed in the order of priority: for use:
 - a. Hospitals
 - b. Residential
 - c. Schools
 - d. Industrial
 - e. Commercial
 - f. Agricultural
 - g. Recreational

Note: Special conditions may exist that require actions by the City Manager to provide emergency water to the agricultural community for the purpose of sustaining livestock.

- b) Absolute prohibition of all outside water use except for the immediate preservation of the health, safety, and welfare of the community.
- c) Upon determination by the Public Works Director, the City Manager will authorize emergency purchase of water supplies from any available source.
- d) By declaration of the City, all new connections to the system will cease until such time as the declaration is removed.

TERMINATION OF THE DROUGHT WATER PLAN

The City Manager has the authority to declare an end to any or all phases contained in this plan based on the recommendations of the Public Works Director.

Section 6. Any person, firm, corporation, or other entity which violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance shall be guilty of a misdemeanor.


Section 7. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable and if any phrases, clauses, sentences, paragraphs or section(s) of this ordinance shall be declared unconstitutional by the valid judgment of any court or competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, clauses, sentences, paragraphs or section(s) of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

This ordinance shall become effective upon final passage and publication as provided in Section 2:12 of the City Charter of the City of Lampasas, Texas.

PASSED AND APPROVED THIS THE 26th DAY OF August, 1996.


DATE OF FIRST READING 8/12/96

DATE OF SECOND READING 8/26/96


Jack Calvert, Mayor

ATTEST:


Cherry Hargrove, City Secretary


Sue Zane Faulkner, City Attorney

**APPENDIX G
AMENDMENTS NO. 1**

DRAFT

City of Lampasas
Lampasas, Texas
Long—Term Water Conservation And
Emergency Water Demand Management Plan
December 1999

AMENDMENT No. 1

The City of Lampasas, "Long—Term Water Conservation And Emergency Water Demand Management Plan," December 1999, is hereby amended to meet requirements of Title 30 Texas Administrative Code, Chapter 288 for "quantified five-year & ten-year targets for water savings.

Section C, Need For and Goals of the Program is amended, as follows:

It is the goal of the City of Lampasas to encourage and recommend to each customer to decrease the amount of water used in daily activities in the amount of one percent (1%) per year for the next 10 years through a variety of methods, until per capita water use of the City has been reduced from 161 gallons per person per day in year 2000 to 140 gallons per person per day. The goal of the City of Lampasas is to reduce per capita water use to 146 gpcd by 2010 and to 140 gpcd by 2015, as recommended by the Water Conservation Implementation Task Force.¹ Implementation of the Long—Term Water Conservation And Emergency Water Demand Management Plan will illustrate ways in which this can be done. A further goal of the City of Lampasas is to reduce the unaccounted for water losses in the system by 5% by 2010, and by 10% by 2015.

¹ Water Conservation Implementation Task Force, Report to the 79th Legislature, Texas Water Development Board, Special Report, Austin, Texas, November, 2004.

DRAFT

WHOLESALE WATER
DROUGHT CONTINGENCY PLAN
FOR THE City of LAMPASAS, TEXAS
DECEMBER 2001

AMENDMENT No. 1

The City of Lampasas, "Wholesale Water Drought Contingency Plan for the City of Lampasas, Texas," December 2001 is hereby amended to meet requirements of Title 30 Texas Administrative Code, Chapter 288 to include target quantified goals to be achieved in periods of water shortages and drought.

Stage 4 – Emergency Water Shortage Conditions, is amended to include a goal, as follows:

Stage 4 – Emergency Water Shortage Conditions

Goal: To achieve a five percent (5%) reduction in total water use.

When emergency water shortage conditions exist as defined in Section VII of the Plan, the City Manager shall:

1. Assess the severity of the problem and identify the actions needed and time required to solve the problem and issue a formal declaration of emergency conditions and require mandatory water conservation measures be instituted and adhered to including triggering criteria for pro rata allocation to wholesale customer(s);
2. Inform the Public Works Director and other responsible official(s) of each wholesale water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems (e.g., notification of the public to reduce water use until service is restored);
3. If appropriate, notify city, county, and/or state emergency response officials for assistance;
4. Undertake necessary actions, including repairs and/or clean-up as needed;
5. Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.

