City of Balch Springs Drought Contingency Plan

Declaration of Policy, Purpose and Intent

This water management plan describes the conditions that require short-term water demand management in the city and establishes policies and procedures that offer strategies for a timely and effective water management response. In general, such a response would be needed when water use in the area served by the city approaches the system's supply, treatment, or delivery capacity. Examples include drought conditions, unusually high-water demands, unforeseen equipment or system failure, or contamination of a water supply source.

- 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 and welfare, aid safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the city hereby adopts the following regulations and restrictions on the delivery and consumption of water.
- Water uses regulated or prohibited under this water management plan are considered to be nonessential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in this chapter.

Public Involvement

The goal of this plan is to minimize the costs and inconvenience associated with reducing water demand. For this reason, a public meeting was held to receive input from the public as this plan was being developed.

Public Education

(a) An effective education and public awareness campaign is critical to the successful implementation of the water management plan. During a water management condition, steps will be taken to:

(1) Alert the public and keep the public regularly informed through local media (options for media are listed later in the plan).
(2) Initiate public discussions when appropriate
(3) Promote public understanding of the water management plan and the measures that are required and will be required should the situation worsen.
(4) Educate the public about ways to use water more efficiently and about water uses that are considered nonessential.
(5) Gather public support for the plan's actions.
(6) Highlight the leadership role of the city to save water.

(b) Successful implementation of the water management plan depends on effective communication with the public. The city must exchange ideas with the public to understand its needs and what water uses are most essential, and the public must believe that the measures adopted are credible. The public awareness and education campaign will be successful if it conveys to the public that:

(1) The water management condition is real.
(2) Reductions in water demand are necessary.
(3) The adopted measures realistically correspond to the severity of the situation.
(4) The inconvenience to and sacrifice of the public is taken seriously.
(5) The inconvenience and sacrifice are equitably shared.
(6) The city is effectively managing the existing water supply.

(c) A variety of means may be used to successfully implement the public awareness and education campaign. Options include:

(1) *News media.*
a. Radio and television public service announcements.
b. Newspaper and magazine announcements.
c. Interviews on radio and television programs.
d. Other radio and television pieces.
e. Newspaper and magazine articles.
f. Press releases.
g. Paid or donated advertising.

(2) *Communications.*
a. Activated hot line.
b. Web site and e-mail.

c. Telephone notifications.
d. Water bill inserts or messages.
e. Distribution of fact sheets, brochures and pamphlets.
f. Mass mailing of letters.
g. Posting of signs and notices (e.g., city and county buildings, post offices).
h. Billboards.
I. City customer service representatives.
j. Education and outreach from city employees.

(3) *Community involvement.*
a. Public meetings and hearings.
b. Public education seminars.
c. Commercial and industrial employee education seminars.
d. City employee training.
e. School programs.
f. Organized contents (e.g., poster or T-shirt design, new ideas to save water).
g. Community outreach programs.
h. Education and outreach from community volunteers.
I. Formation of citizens committees or other public forums.

Coordination with Regional Water Planning Groups

The service area of the city is located within Region C Water Planning Group, and the city has provided a copy of this plan to Region C Water Planning Group, as well as the Texas Water Development Board and the Texas Commission on Environmental Quality.

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 public 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.

Application

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

Definitions

- As used in this plan, the following words or terms shall have the following meaning:

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

    - *Apartment(s)* - Residential dwelling structure(s) containing multiple dwelling of three or more units which units are, or are available to be leased or rented and are not available for purchase on an individual basis.

    - *Building plumbing* - Plumbing located entirely on private property and usually within or under the building itself.

    - *City* - The City of Balch Springs, Texas, or any duly authorized representative acting in its behalf.

    - *City's engineer* - The person, firm or corporation that the city has engaged to provide engineering services for the city.

    - *City manager* -The City Manager of the City of Balch Springs or his or her designee.

    - *City's operator* - The person(s), firm, corporation, Municipal Corporation or political subdivision, if any, with which the city has contracted or hired for operation and maintenance of the city's system. In the absence of such a contract or hire, the term shall be interpreted to mean the city's public works department or other designee delegated to perform the functions of the city's operator.

    - *Commercial* - Whether referring to connections or city water and sewer service, shall mean and include any office building, hotel, retail store, clubhouse, warehouse, service station, or other establishment rendering a service or offering a product for sale to the public, including apartments unless specifically excluded herein, and any

establishment not generally considered a single-family residence.

- *Commercial and institutional water use*- Water use which is integral to the operations of commercial and nonprofit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings

- *Connection* - A single-family residential unit or each commercial or industrial establishment to which drinking water is supplied from the system. As an example, the number of service connections in an apartment complex, hotel, or motel would be equal to the number of individual apartments or other rental units, and fire line, swimming pool, laundry, landscape, and other connections; and the number of service connections for a commercial or industrial establishment would be equal to the number of rental leaseholds, fire line, landscape, or other connections.

- *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.

- *Customer*- The person, firm or corporation who requests and/or receives city services for a residential, commercial or other structure within the area of the city, whether the owner, renter or lessee thereof or the consumer of water and/or sanitary sewer services within such structure.

- *Director of Public Works* -The Director of Public Works of the City of Balch Spring or his or her designee.

- *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-numbered address* - Street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

- *Landscape irrigation use* - Water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

- *Main line* - Line supplying flow to the service lines. Usually is six inches in diameter or larger and located entirely on public right-of-way or easement.

- *Meter* - The device installed on the customer service connection to measure the amount of water used by the customer.

- *Nonessential 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 uncontrollable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
(i) Use of water fire hydrants for construction purposes or any other purposes other than firefighting or for flushing of the City's water system by the City's Operator(s) to maintain water quality.

- *Odd-numbered address* - Street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7 or 9.

DROUGHT MEASURES

Triggering Criteria for Initiation and Termination of Drought Response Stages

(a) Monitoring. All relevant components of the City's water system will be monitored to ensure that all actions taken are based on current and reliable information. The City will monitor the system at a minimum of on a weekly basis until such point when projections based on past use indicate a trigger could be reached within two weeks. At this time, daily monitoring and reporting to the Director of Public Works will occur.

(b) Initiation. The Director of Public Works will advise the City Manager when conditions exist to initiate a plan stage. The City Manager may then order the initiation of the appropriate stage of the plan. To be effective, the ordinance must be made by public notification.

(c) Meeting or exceeding one or more trigger conditions will be sufficient cause to initiate a corresponding plan stage. Nevertheless, the Director of Public Works can recommend that a stage not be initiated under these circumstances. Factors influencing this decision may include, but not be limited to, the time of year, weather conditions, anticipation of replenished water supplies, or anticipation that facilities will come on-line to serve capacity.

(d) Duration, Changes and Extensions. The ordinance can be made effective for up to, but not more than, 60 days from the date of publication. Upon recommendation of the Director of Public Works, the City Manager may upgrade or downgrade a stage when the conditions triggering that stage occur. To be effective, the ordinance must be made by public notification. Upon recommendation of the Director of Public Works and City Manager, the City Council may extend the duration of an ordinance for additional time periods, not to exceed 120 days each.

(e) Termination. The Director of Public Works will advise the City Manager when conditions exist to terminate a plan stage. The City Manager may then order the termination of the appropriate stage of the plan. To be effective, the order must be made by public notification.

(f) The decision to terminate a stage will occur if the corresponding water management condition has subsided or been eliminated and if the corresponding trigger condition is no longer exceeded and would unlikely recur upon termination

(g) Public Notification. The following procedures are required to initiate or terminate each stage of the water management plan:

(1) Notification must be made by public announcement.

(2) Notification must be published in newspapers of general circulation to the city within 24 hours after the public announcement.

(h) Effective Date. The order will become effective immediately upon publication.

(I) TCEO Notification. The City will notify the executive director of the Texas Commission on Environmental Quality (TCEQ) within five (5) business days of the implementation of any mandatory provisions of the water management plan. Such mandatory provisions include implementation of pro rata water allocations to wholesale customers.

(j) The City has developed specific criteria for the initiation and termination of water management stages. These criteria, or trigger conditions, are based on three (3) distinct types of water shortage situations, which are listed below:

(1) Type A, Water Supplies are Low. This condition would be caused by an extended drought. The best opportunity to respond to a drought is early in the drought cycle. Water management measures under these conditions should stress overall reductions in water demand (i.e., average-day water demand).

(2) Type B, Water Demand Approaches System Capacity. This condition would be caused by increased water demand in the short term. This typically occurs during the summer months as more water is used for irrigation. In the long term, it could occur if treatment plant or distribution system expansions do not keep peace with the growth in consumer demand. Water management measures should stress reductions in peak, water demand or redistribution of the demand to off-peak hours.

(3) Type C, Short-Term Deficiencies Limit Supply Capability. This type of condition would be caused by equipment or system failures such as a break in a water main or an inoperable pump or treatment plant facility. It could also be caused by contamination of water supplies or some other unforeseen occurrence. Situations of this type may be localized and may call for a localized response. They may arise with little warning and require immediate and/or aggressive actions. The severity of the situation will be determined by the Director of Public Works. Water management measures should stress reductions in peak water demand or redistribution of the demand to off-peak hours.

(k) Four Stages of the Water Management Plan. Proactive management is the best way to lessen the potential impact of a water management situation on the citizens of the City. The City has established four (4) successive stages to implement progressively stringent water management measures. Meeting or exceeding the water-reduction goals in the early stages could reduce or eliminate the need to progress to later stages. Because the health and safety of all of the citizens of the City will be affected by the measures, all the public will benefit if responsible action is taken in the early stages of a water management situation.

Description of Stages. Each stage is listed below, followed by a brief description of the severity of the situation and the type of actions that may be required:

(1) Stage 1, Water Awareness. *(Activated when Dallas Water Utilities notifies the City that reservoirs are 65% full / 35% deleted)* A potentially serious water management condition is possible for all or part of the system. If voluntary water reduction measures are implemented, the situation may be averted with minimal hardship or sacrifice. A public awareness campaign is initiated to inform the public of ways to voluntarily reduce water use. The City will take the lead by reducing water use. **(Stage 1 Target Goal: 5% GPCD reduction)**

(2) Stage 2, Water Watch. *(Activated when Dallas Water Utilities notifies the City that reservoirs are 55% full / 45% deleted)* The situation has worsened and calls for an intensification of the public awareness campaign to achieve greater water-use efficiencies. The City will take additional actions to reduce water use. **(Stage 2 Target Goal: 10% GPCD reduction)**

(3) Stage 3, Water Warning. *(Activated when Dallas Water Utilities notifies the City that reservoirs are 45% full / 55% deleted)* The situation has deteriorated further, and it is necessary to implement mandatory water management measures to protect public health and safety. The public awareness campaign is intensified to alert the public of the potential severity of the water shortage. Penalties will be imposed for wasting, water, violating permits, or ignoring restrictions. Water rate increases will be imposed for excessive water use. **(Stage 3 Target Goal: 15% GPCD reduction)**

(4) Stage 4, Water Emergency. *(Activated when Dallas Water Utilities notifies the City that reservoirs are 30% full / 70% deleted)* The situation is even more serious, and it is necessary to implement stringent water management measures. The public awareness campaign must emphasize the need for extreme measures and stiff penalties. Severe restrictions will be imposed on all but the most essential water uses. Penalties imposed for wasting water, violating permits, or ignoring restrictions may be increased. **(Stage 4 Target Goal: 20% GPCD reduction)**

(l) Trigger Conditions. The trigger conditions for each of the three (3) types of water management conditions and each of the four (4) water management plan stages are provided in the table. The rationale for each trigger condition discussed following the table.

(m) Different goals will be emphasized, depending upon the nature of the situation. For a type A situation caused by drought conditions, preservation of the total water supply will be critical, and corresponding water management measures should stress overall reductions in water use.

(n) For a type B situation, in which the water demand approaches the delivery capacity of the system, the peak water demand will be critical, and corresponding water management measures should stress water-use reductions or shifts to off-peak hours. In this situation, the ultimate goal of stages 1, 2 and 3 will be to avoid triggering the next stage. If stage 4 is triggered, immediate and severe water demand reductions will be required. A type B situation can be worsened by equipment or system failures that result from increased stresses to the transmission, treatment, or distribution systems.

(o) For a type C situation, in which short-term deficiencies limit the supply capacity, both water-use reductions and shifts to off-peak hours may be necessary. Immediate action may be required, although the area requiring water-demand reduction may be localized.

Water Management Measures

The Triggering Criteria Section outlined the water management stages and the monitoring for initiation and termination. This section outlines the responses at each stage. Because the most effective response to a given water management condition may vary depending on its type and factors unique to the situation, the City has prepared menus of possible actions. Actions other than those shown may also be taken as deemed necessary by the City Manager. The appropriate

actions will be determined by the City Manager prior to initiating, or at any time during a water management stage, and may be applied locally or to all customers, as necessary.

Stage 1, Water Awareness Actions Available:

a) Staff will begin review of the problems which initiated the Stage 1 actions.

b) Intensify normal leak detection and repair activities on water pipes and mains.

c) Initiate public education campaign, teaching and encouraging reduced water use practices.

d) Reduce usage for interruptible customers per contract terms.

e) Encourage reduction in flushing of new mains not immediately required to provide service.

f) Encourage reduction in frequency of washing or rinsing of vehicles and recommend use of bucket/container, hand-held hose with positive shut-off valve, or commercial carwash.

g) Identify and encourage voluntary reduction figures by high volume water users through water use audits.

h) Encourage reduction of excessive runoff from landscape areas.

i) Encourage reduction in frequency of watering new and first-year landscaping and foundations and request watering only during off-peak hours.

j) Encourage reduction of water use through the publication of the voluntary landscape watering schedule and request watering only during off-peak hours.

k) Encourage only initial filling of ornamental fountains. Encourage reduction in municipal use.

l) Encourage reduction in frequency in draining and refilling of swimming pools.

m) Encourage reduction in landscape uses for parks and golf courses.

n) Encourage reduction in hosing off of paved areas, buildings, windows, or other surfaces.

o) Encourage reduction in use for landscape uses.

p) Encourage reduction in frequency of recreational water use, including use of faucets, hoses or hydrants.

Stage 2, Water Watch Actions Available:

a) Initiate engineering studies to evaluate alternatives should conditions worsen.

b) Encourage further reduction in frequency in draining and refilling of swimming pools.

c) Accelerate public education campaign teaching and encouraging reduced water use practices.

d) Prohibit hosing off of paved areas, building, windows, or other surfaces.

e) Restrict flushing of new mains not immediately required to provide service.

f) Municipal government restricted to landscape watering schedule except for parks and golf courses.

g) Identify and encourage voluntary reduction measures by high-volume water users through water use audits.

h) Encourage reduction in frequency of watering new and first-year landscaping and foundations and request watering only during off-peak hours.

i) Continue intensified leak detection and repair activities on water pipes and mains.

j) Restrict operation of ornamental fountains to initial filling.

k) Reduce usage for interruptible customers per contract terms.

l) Prohibit operation of ornamental fountains by municipal government.

m) Encourage reduction of water use through the publication of voluntary landscape watering schedule and request watering only during off-peak hours.

n) Require reduction of excessive runoff from landscape areas through code enforcement warnings.

o) Encourage further reduction in landscape uses for parks and golf courses.

p) Prohibit recreational water use, including use of faucets, hoses or hydrants, which uses water in such a manner as to allow runoff or other wastes.

q) Encourage further reduction in landscape uses [for] nursery stock.

r) Restrict washing or rinsing of vehicles to use of bucket/container, handheld hose with positive shut-off valve, or commercial carwash.

<u>Stage 3, Water Warning Actions Available:</u>

a) Implement recommended engineering alternatives.

b) Restrict landscape watering to landscape watering schedule and only during off-peak hours.

c) Accelerate public education campaign teaching and encouraging reduced water use practices.

d) Prohibit operation of ornamental fountains.

e) Restrict flushing of new mains not immediately required to provide service.

f) Restrict watering of nursery plant encourage voluntary stock to off-peak hours.

g) Identify and reduction measures by high-volume water users through water use audits.

h) Restrict watering of golf course greens and tee boxes to off-peak hours; other golf course areas and parks adhere to landscape watering schedule.

i) Continue intensified leak detection and repair activities on water pipes and mains.

j) Restrict washing or rinsing of vehicles to use of bucket/container, handheld hose with positive shut-off valve, or commercial carwash only during off-peak hours.

k) Reduce usage for interruptible customers per contract terms.

l) Prohibit excessive runoff from landscape areas through code enforcement warnings.

m) Initiate 10% rate increase for high water demand users (greater than 4,000 gallons per month per account).

n) Prohibit draining and refilling of swimming pools.

o) Prohibit permitting of new swimming pools, hot tubs, spas, ornamental ponds and fountain construction.

p) Prohibit hosing off of paved areas, buildings, windows, or other surfaces.

q) Prohibit recreational water use, including use of faucets, hoses or hydrants, which use water in such a manner as to allow runoff or other wastes.

Stage 4, Water Emergency Actions Available:

a) Accelerate public education campaign teaching and encouraging reduced water use practices.

b) Prohibit municipal landscape watering, except for golf courses.

c) Prohibit flushing of new mains not immediately required to provide service.

d) Restrict watering of nursery plant stock to off-peak hours and to landscape watering schedule.

e) Identify and encourage voluntary reduction measures by high-volume water users through water use audits. Restrict watering of golf course greens and tee boxes to off-peak hours; other golf course areas and parks prohibited.

f) Continue intensified leak detection and repair activities on water pipes and mains.

g) Prohibit washing or rinsing of vehicles.

h) Reduce usage for interruptible customers per contract terms.

i) Prohibit excessive runoff landscape areas through code enforcement warnings.

j) Continue 10% rate increase for high water demand users (greater than 4,000 gallons per month per account).

k) Prohibit draining and refilling of swimming pools.

l) Prohibit permitting of new swimming pools, hot tubs, spas, ornamental ponds, and fountain construction.

m) Prohibit hosing off of paved areas, buildings, windows, or other surfaces.

n) Prohibit all commercial and residential landscape watering.

o) Prohibit recreational water use, including use of faucets, hoses or hydrants, which uses water in such a manner as to allow runoff or other waste.

p) Foundations may be watered for a two-hour period during off-peak hours with soaker or hand-held hose on the watering schedule.

q) Require reduction of indoor water uses by 25%.

r) Prohibit operation of ornamental fountains.

Water Rationing

During stages 3 and 4 of the water management plan, the City may impose a retail water rate increase to discourage water use. All rates for usage in excess of 4,000 gallons per month (per account), or any other usage amount above 4,000 gallons per month, as deemed appropriate by the City Manager, may be increased by an additional 10% or any other percentage deemed appropriate by the City Manager.

Variances

The City, in its discretion that an emergency exists, and in order to protect and assure the health, safety and welfare of the citizens of the City, may enter upon and repair the water or sewer pipe(s) of customers under the following circumstances:

(1) Compliance with this water management plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the water management plan is in effect.

(2) Alternative methods may be implemented which will achieve the same level of reduction in water use. Persons requesting an exemption from the provision of the water management plan shall file a petition for variance with the City Manager within a period of 5 days after the water management plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Director of Public Works, 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 water management plan from which the petitioner is requesting relief.

(D) Detailed statement as to how the specific provision of the water management plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this article.

(E) Description of the relief requested.

(F) Period of time for which the variance is sought.

(G) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this water management plan and the compliance date.

(H) Any other pertinent information.

Variances granted shall be subject to the following conditions, unless waived or modified by the City:

(1) Variances shall include a timetable for compliance.

(2) Variances granted shall expire when the water management plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

(3) The Director of Public Works may revoke a variance when the Director determines that the conditions are not being met or no longer applicable.

No variance shall be retroactive or otherwise justify any violation of this water management plan occurring prior to the issuance of the variance.

Violations; penalties

- Any person, firm, entity, or corporation violating this Chapter shall be adjudged guilty of a misdemeanor and,

upon conviction, shall be punished by a fine of not less than $100.00, but not more than $2,000.00.

- The City Manager or his designee may enforce the provisions of this plan by filing suit in any court of proper jurisdiction seeking injunctive relief to restrain violations of this division or seeking civil penalties not to exceed $1,000.00 for each discharge in violation of the terms of this plan, or seeking both such injunctive relief and civil penalties.

- The prohibitions contained in this plan and the penalties imposed in this section for violations of the provisions of this plan are cumulative of any and all other laws, regulations, prohibitions and sanctions imposed by ordinance or state or federal law, and the penalties imposed in this section may be enforced in addition to, and not in lieu of, any such other prohibitions and sanctions.

(Ord. No. 3083-13, § 2, 12-10-2013)