

## **ARTICLE V. WATER CONSERVATION AND DROUGHT CONTINGENCY PLANS<sup>1</sup>**

### **Sec. 31-195. Purpose of the water conservation plan for city utilities.**

- (1) The purpose of this plan is to promote the protection and proper utilization of Laredo's only water resource, the Rio Grande, to ensure an uninterrupted supply of water sufficient to satisfy essential needs.
- (2) This water conservation plan and the drought contingency plan as a combined ordinance officially named the Water Conservation and Drought Contingency Ordinance is established in accordance with Texas Administrative Code (TAC) Title 30, Chapter 288.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-196. Interpretation of the water conservation plan.**

- (1) The provisions of this water conservation plan shall be interpreted and applied as the minimum requirements for water conservation in the city and shall control over all other landscape and water management requirements in any other ordinance in the city Code of Ordinances, if applicable.
- (2) The provisions of this plan shall not be interpreted as part of or in lieu of the city's drought contingency plan.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-197. Definitions in the water conservation plan.**

Refer to section 31-16 for water conservation plan definitions.

( Ord. No. 2019-O-139 , § 1, 8-19-19 )

### **Sec. 31-198. Reserved.**

### **Sec. 31-199. Specific and quantified water conservation goals.**

In an effort to reduce long-term capital expenditures, the City of Laredo instituted a water conservation program in February 2006 to implement water conservation regulations citywide in accordance with the rules of the Texas Water Development Board and the Texas Commission on Environmental Quality. The city will continue to implement additional activities and programs, as deemed necessary, in order to meet or exceed the specific and quantified water conservation goals listed below:

- (1) Maintain unaccounted-for water at ten (10) percent until year 2024 and reduce to less than ten (10) percent by 2029 through improved water use accounting system, leak detection, and leak repairs.
- (2) Maintain the gallons per capita per day (GPCD) consumption at one hundred thirty (130) GPCD.

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<sup>1</sup>Editor's note(s)—See editor's note, art. III, div. 4.

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- (3) Increase the beneficial reuse of effluent from the city's wastewater treatment facilities.
  - (4) Continue to use increasing block rates for water and wastewater services to discourage excessive water usage.
  - (5) Establish a meter testing, repair, and replacement program, as well as leak detection efforts, in order to assist reducing the unaccounted-for water to less than ten (10) percent.
  - (6) Continue to meet or exceed all Texas Commission on Environmental Quality (TCEQ) and Environmental Protection Agency (EPA) requirements.

These goals are consistent with commonly accepted water industry standards as required by the 30 Texas Administrative Code § 288.2, entitled "Water Conservation Plans for Municipal Uses by Public Water Suppliers" and the Texas Water Development Board.

See addendum for five- and ten-year goals for Total, Residential and Water Loss GPCD.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-200. Water conservation program.**

The city's water conservation program is designed to provide practices, techniques, and technologies that help reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, and increase the recycling and reuse of water for the ultimate purpose of making available a water supply for future or alternative uses. The program is comprised of a water conservation planner and water conservation inspectors, who are responsible to implement water conservation requirements and enforce all regulations established in the water conservation and drought contingency plans, also known as the water conservation and drought contingency ordinance.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-201. Accurate metering devices.**

Raw water diverted from the Rio Grande is metered, as well as the treated water that is sent to the booster pumping stations for distribution throughout the city. Each meter has an accuracy within the range of plus or minus 5.0 percent. The meters must be calibrated at least annually by qualified personnel in order to maintain the required meter accuracy. Meters must be replaced or repaired, as deemed necessary.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-202. Universal metering.**

Metering all water services is an effective way of improving and maintaining control of the water system operations and for providing the basis of an efficient and equitable cost recovery. Metering provides a database for system performance monitoring, for planning future facilities, and for assessing the effects of water conservation measures. Metering also improves accountability for both water deliveries and unaccounted-for water losses.

A standard universal metering system is used to monitor the quantity of water that is delivered to each residential and commercial customer. Water delivered to public facilities is not an exception. Each public facility has a water meter. Water that is used for public services such as street cleaning/sweeping, graffiti removal, or firefighting training will need to use a temporary fire hydrant meter when using water from a fire hydrant to account for the total amount of water that is utilized. The water meters are read by the utility's meter readers and

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recorded on the city's system once per month, with billings made monthly to residential and commercial customers.

Effective August 2013, the City of Laredo Utilities Department began replacing or retrofitting current water meters with automated meters in addition to installing advanced metering infrastructure (AMI) in an effort to create efficiency, reliability, and use the latest technology. The meter replacement project was completed in 2016.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-203. Fire hydrant meters and illegal connections.**

Fire hydrant meters can only be installed, repaired, or replaced by utilities department staff. No person shall be allowed to open or close a fire hydrant or fire hydrant meter without having a training and certificate from the utilities department for having completed a mandatory training. The City of Laredo Fire Department is exempt from this mandatory training only during emergency firefighting operations and when conducting firefighting trainings at the fire training facility located at Pinto Valle. The fire department is not authorized to use water from any other fire hydrant throughout the city for firefighting trainings or for washing of any units and/or fire protection equipment. Washing of any city units and/or fire protection equipment must be done at each corresponding fire station using water from the facility's water meter. Water from a fire hydrant shall not be used by any city department without a fire hydrant meter to maintain the streets of Laredo, such as: sweeping, removal of vectors, removal of graffiti, and other. Utilities staff are also prohibited from using water from a fire hydrant for any water-related operation without a fire hydrant meter installed. This mandatory training will be free of charge and must be requested in writing addressed to the City of Laredo Utilities Department Director.

The utilities department customer service division developed a process to detect and prevent illegal connections, (refer to illegal connections Ordinance No. 2018-0-026 and as amended). When an illegal connection is identified, staff take pictures, remove the illegal connection and confiscate the illegal device used as a connection, send correspondence to the property owner, and document the citation. The City of Laredo will also impose a hefty illegal connection fee once the customer legally connects to the city's utility line. Water conservation inspectors also assist by issuing a citation for theft of water services and for having an illegal connection and also file a police report against the alleged violator. The Laredo Police Department then proceeds with an investigation, which may lead to prosecution.

In order to reduce the loss of water due to the inaccuracies of older meters, the utilities department implemented the use of an automatic meter reading (AMR) system in August 2013. The new AMR system replacement was completed in 2016 and has helped reduce the human-error factor in the reading of meters. In order to maintain an effective metering accountability, periodic meter testing will be necessary, especially when meters are found to perform outside of the accepted parameters for accuracy.

In order to further assist in determining the amount and source(s) of water loss, the City of Laredo Utilities Department conducted a five-year comprehensive water audit and meter management evaluation in 2016. The audit indicated the city has seen an improvement in non-revenue water (NRW) since the 2006 water audit. Cost-effective measures for reducing water loss are recommended in the audit.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-204. Public education and awareness program.**

Public education and awareness are an essential component of the water conservation program. Various strategies are used to communicate the need for and benefits of water conservation and to provide useful consumer-oriented information about water conservation practices and technologies to utility customers.

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The water conservation program currently implements public awareness and educational activities within the community by conducting presentations, participating in events, preparing publications of water related flyers, advertisements, and other public relations messages.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-205. Water rate and sewer rate structure.**

The city has a water rate increase plan as specified in section 31-138, Water Rates. This water rate increase plan is a strategy placed in effect to discourage excessive use of water.

In addition to an escalating water rate structure, the city adopted a sewer rate increase plan as specified in section 31-92, Rates and Charges. This escalating water rate structure is a strategy placed in effect to discourage excessive use of water. The more water that is used, the higher that the sewer rate will be.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-206. Reservoir systems operation plan.**

The city does not own a reservoir; therefore, a reservoir systems operation plan is not applicable to the city. The city, however, shares the waters of the Rio Grande River, which serves as a natural boundary along the borders of Laredo, Texas, and Nuevo Laredo, Tamaulipas. The Amistad and Falcon Reservoirs are naturally connected to the Rio Grande River; therefore, the city has a drought contingency plan in effect to help optimize the available water supplies of the Rio Grande River. (Refer to drought contingency plan.)

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-207. Implementation and enforcement of the water conservation plan.**

The City of Laredo Utilities Director has the primary responsibility for implementing and enforcing this water conservation plan through the water conservation program. All water conservation orders described on this plan shall be enforced by the utility's water conservation inspectors, water conservation planner and other utility personnel designated by the utilities director, such as code enforcement inspectors, code-certified personnel from other city departments, police officers, and the municipal court, as appropriate.

Any employee of the City of Laredo Utilities Department designated by the utilities director and police department or code-certified employees from another city department may issue a warning or citation to a person that he or she reasonably believes to be in violation of this water conservation plan. The alleged violator shall receive two (2) written warnings before receiving the first citation. The two (2) written warnings may be for violation of any section, or combination of sections, found on this water conservation plan. The citation, which shall be issued on the third offense and thereafter, shall be prepared in triplicate form and must contain the name and address of the alleged violator, the offense charged, and shall direct him or her to appear at the City of Laredo Municipal Court on the date shown on the citation, which date shall be not less than five (5) days or more than ten (10) days from the date that the citation was issued. The citation must be issued to the alleged violator, an agent, manager, or employee of the violator, or to a person of age eighteen (18) years or older who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall be served with a copy of the citation, and a copy must be submitted to the water conservation program for data entry and recordkeeping. Any pictures taken as proof of violation shall also be submitted to the water conservation program with a copy of the citation. The original document(s) must be delivered to the City of Laredo Municipal Court for stamping and processing. The alleged violator shall appear at the City of Laredo Municipal Court to enter a plea of guilty or not guilty for the violation of this water conservation plan. If the alleged violator fails to appear in court, a

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warrant for his or her arrest may be issued by the City of Laredo Municipal Court. A summons to appear in court may also be issued in lieu of an arrest warrant. Cases involving a violation of the water conservation plan shall be expedited and given preferential setting at the City of Laredo Municipal Court before all other cases.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-208. Penalties for violation of the water conservation plan.**

After receiving two (2) written warnings for any section or combination of sections, a person who violates this water conservation plan shall be issued a citation and may be guilty of a class C misdemeanor. Upon citation and conviction, any person violating these provisions shall be subject to punishment as provided in section 31-132 and/or receive a fine not less than fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00) for the first offense; a fine not less than two hundred dollars (\$200.00) and not more than three hundred dollars (\$300.00) for the second offense; a fine of not less than four hundred dollars (\$400.00) and not more than five hundred dollars (\$500.00) for the third and additional offenses. Each violation of a particular section of this division shall constitute a separate offense, and each day an offense continues shall be considered a new violation for purposes of enforcing this division. All payments shall be made payable to the City of Laredo Municipal Court, as set forth in the City Code of Ordinances and approved and adopted by the city council.

The following violations of the water conservation ordinance will constitute an automatic citation: vehicle washing for the purpose of fundraising and/or promoting a business, illegal connections, failure to repair a controllable leak within 5 days of discovery, ornamental fountain not recirculating,

Note: A previous violation shall not be considered if a period of one (1) year has elapsed since the violation was first incurred or the property is acquired by a new owner or tenant.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-210. Plan review and update.**

The City of Laredo Utilities Department shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The City of Laredo Utilities Department shall review and update the next revision of its water conservation plan not later than May 1, 2024, and every five (5) years after that date to coincide with the regional water planning group. The revised plan must also include an implementation report.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-211. Leak detection, repair, and water loss accounting.**

Meter readers, water conservation inspectors, distribution crews, and other utility staff assist with detecting leaks caused by irrigation systems, meters, backflow devices, fire hydrants, waterlines, fire protection lines, and wastewater lines. When leaks are identified, the utility's emergency call center is notified to dispatch a serviceman from the responsible division to the location of the leak. The responsible division will do the necessary repairs to eliminate the leak or replace the faulty meter, fire hydrant, water line, or wastewater line, if necessary. If a meter, an irrigation system, backflow device, or water line is found to be leaking on the private side, the property owner will be notified and issued a written warning for failure to repair a controllable leak. Failure to repair the private leak, within 5 days, will constitute a citation and incur the penalties established in this plan.

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The utilities department plan uses a sonic water leak detection device to locate water leaks. The utilities department plans to implement a long-term water main replacement and upgrade program in an effort to reduce the number of waterline leaks and breaks. Based on a fifty-year life cycle, water lines will be replaced per year.

Water loss accounting to control water loss from water waste and unaccounted-for water are part of the utilities department's routine operations. The standard universal metering system, used by the utilities department, helps reduce the amount of unaccounted-for water. Meter readers, water conservation inspectors, and other utilities department staff assist by identifying and reporting any signs of illegal connections so that they are addressed as promptly as possible by the responsible division. Those who are found to be illegally connected to the city's water system face disconnection of water service, penalties, and convictions, as deemed necessary. Waterline leaks or breaks are reported to the utilities department by the public, 3-1-1 staff, or other city personnel and they are documented on Naviline, a computerized system that helps document and track the status of any work order issued to the utilities department. Then distribution division crews respond quickly to repair or replace the waterlines and provide the proper information to complete the computerized reports. These strategies provide the ability to generate a more accurate estimate of the actual water losses and also help evaluate costs and benefits associated with leak detection, repair, and/or replacement of main waterlines.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-212. Record management system.**

The utility owns and operates two (2) water treatment plants. Staff maintain daily reports, which document the total plant flows and daily average water demands measured in million gallons of water per day.

Water sales are reported by the utility's customer service division on a daily basis as new water customers pay for the connection of a new regular or irrigation meter. A customer information system is used to control the water delivered to each customer on a monthly basis according to the meter reading dates. The customer service division is responsible for maintaining the customer billing accounts current. In addition, the customer service division processes applications for temporary fire hydrant meters and installs temporary meters for contractors who need to use water from a fire hydrant for construction purposes. The temporary meter registers the amount of water released through the fire hydrant, and the water used is then paid for by the contractor. The utilities department customer service division recently underwent a new billing system by changing the format from postcard to full page. The new format includes the consumption used by the customer in addition to a bar graph that demonstrates a one-year history of water usage displayed on a monthly total. Plus, the new format allows for important text messages to be included on the full-page document to ensure that all customers receive the important message intended.

Water sales are also reported by the utility's engineering division as it bills contractors or developers for the total amount of water used to flush the water lines, conduct pressure tests, and conduct bacteriological tests for their development.

This record management system used by the utility records the water diverted from the Rio Grande, water distributed, water sales, estimated water losses and the tracking of water usage by census tract or zip code for all water customers at all times.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-213. Conservation-oriented water rates and water rate structures.**

The utility instituted an increasing water block rate schedule in April 2006, for a period of thirty-one (31) years, as approved by city council, categorizing a water rate structure for each of the following block tiers: residential, multi-family, residential irrigation, commercial, commercial irrigation, and commercial hydrant. As the

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water consumption increases, the water rate also increases, thereby, discouraging the use of excessive water use serving as an indirect conservation-oriented water rate structure. The water rate increase plan is as specified in section 31-138, Water Rates. The sewer rate increase plan is as specified in section 31-92, Rates and Charges.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-214. Water-conserving plumbing fixtures.**

Under the V.T.C.A. Health and Safety Code, § 372.002, "Water Saving Performance Standards," water-conserving plumbing fixtures are required by all local municipalities in the State of Texas for new structures and existing structures undergoing substantial modification or addition.

Water conserving fixtures are required by the city as per the 2012 edition of the International Plumbing Code as adopted and referenced in Section 25-3.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-215. Reuse and recycling of wastewater.**

Wastewater is water that has already been used, such as water from sinks, showers, bathtubs, toilets, washing machines, and dishwashers. Many businesses, industries, and even storm runoff contributes to these waste products. However, most of this wastewater can be reused and recycled as a way to conserve water.

- (1) *Wastewater reuse program.* The City of Laredo Utilities Department has a wastewater reuse program, in which effluent is used at the wastewater treatment plant for many beneficial purposes. Effluent, which is treated wastewater that meets the requirements of the Texas Commission on Environmental Quality and is suitable for a beneficial use, is used by the utility for washdowns, dust control, cleaning of equipment, tank washing, and for site irrigation including the Laredo Country Club Golf Course and the Casa Blanca State Park Golf Course. Other assessments shall be made to determine the feasibility of reusing effluent to irrigate city parks and athletic fields.
- (2) *Vehicle wash facilities.* Water recycling systems shall be installed at any type of vehicle wash facility that is new or that is undergoing renovations. From and after the effective date of this division, vehicle wash facilities shall reuse at least fifty (50) percent of water from previous rinses or use less than fifty (50) gallons of water per vehicle being washed.

Documentation shall be submitted to the City of Laredo Utilities Department certifying the water recycling system meets the requirement effective January 1, 2025.

- (3) *Bleeder lines from evaporative systems.* New and replacement bleeder lines from evaporative systems shall not be larger than one-eighth ( $\frac{1}{8}$ ) inch diameter inside. Lines shall be directed to discharge the effluent outdoors to irrigate landscaping or other vegetation, if possible, except where this would be impractical or unfeasible as determined by the utilities director.
- (4) *Single-pass cooling or heating systems.* The use of water for non-residential single-pass cooling or heating systems is strictly prohibited, unless the water is reused and recycled for other purposes such as irrigating landscaping or other vegetation. These efforts will help wastewater to be recycled and reused throughout the city.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

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### **Sec. 31-216. Pressure control and reduction.**

Pressure is the force that determines how much water can pass through a faucet, valve, pipe, or hole at any given time. Pressure reduction valves are used to adjust the pressure. If a faucet can have a flow rate ranging from 3.0 to 5.6 gallons per minute at one hundred fifty (150) pounds per square inch (psi), it is evident that pressure control and reduction is of utmost importance. Reducing the pressure causes less water to flow through the opened valve or faucet in a given time. Pressure reduction also saves water by reducing the mechanical stress placed on plumbing fixtures and appliances, and more importantly by reducing the stress placed on the distribution system, which usually leads to waterline breaks. Pressure reduction valves shall be installed where the system pressures exceed eighty (80) psi.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-217. Landscape regulations applicable on and after January 1, 2025.**

Except as specifically provided with alternative effective dates, persons affected by the regulations set out herein below shall comply on or after January 1, 2025. A violation of this section and subsections shall be subject to the enforcement provisions set out in section 31-208. It shall be and is hereby declared unlawful for any person to violate, refuse, prohibit or fail to implement the requirements of this division, including but not limited to homeowners' associations (HOAs), renters, and property owners.

1) *Xeriscaping option.*

(a) Effective January 1, 2025, homebuilders and/or developers subdividing lots and/or constructing new single-family homes will be required to offer a xeriscape option. An approved low water plant list for Laredo which lists all plants, shrubs, vines, groundcovers, perennials, ornamental grasses, trees, and turf grasses suitable for Laredo is available through the water conservation program as Exhibit A on the City of Laredo Utilities Department website.

(b) Xeriscaping for existing public facilities. It will be required that landscaping on existing public schools, municipal, county, state, and federal buildings, including public libraries and public parks, industrial parks, and commercial developments be converted to Xeriscape within five (5) years from the effective date of this division. A xeriscape rebate program will be implemented after the effective date of this ordinance and will apply to homeowners within city limits.

2) *Model homes.* Effective January 1, 2025, homebuilders and/or developers who construct model homes for a designated subdivision shall have at least one model home per subdivision landscaped according to xeriscape design.

3) *Zonal system.* In-ground irrigation systems installed on and after January 1, 2006, shall be zonal irrigation system.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-218. Outdoor water management.**

The following are outdoor water management requirements:

- (a) *Vehicle washing.* Vehicle washing shall be permitted on Saturdays and Sundays any time during the day using a bucket and handheld hose with a positive shut-off nozzle. Using a leaking faucet or a leaking water hose is strictly prohibited.



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- (b) *Hose bibb.* Every outdoor faucet in residential, commercial, or public facility shall have a hose bibb vacuum breaker installed in order to prevent water contamination to the facility and the city's water system. Effective January 2014, all hose bibb vacuum breakers shall be lead free.
  - (c) *Washing of impervious and hard surface areas.* Washing streets, sidewalks, driveways, parking lots, tennis courts is considered wasting water and shall only be permitted in emergencies to remove spills of hazardous materials or to eliminate dangerous conditions which threaten the public health, safety and welfare.
  - (e) *Fountains.*
    - (1) All residential fountains and indoor commercial fountains can operate at any stage of drought if they have a water recycling system installed.
    - (2) Outdoor commercial fountains must have a City of Laredo variance in order to operate during drought stages 1 through 4.
  - (f) *Swimming pools.* All non-public swimming pools must have a minimum of 25 percent of the surface area covered with evaporation screens when not in use.
  - (g) *Irrigation for athletic fields, golf courses, large use and large properties.* Effective January 1, 2025, operators of golf courses, athletic fields, and parks must submit a conservation plan to the water conservation planner no later than April 1, 2025. Golf courses, athletic fields, and parks may not irrigate between 8 a.m. and 8 p.m., must follow the stage restriction schedule, and must not exceed 15 minutes of watering.

The provisions of the water conservation plan shall not be interpreted as part of or in lieu of the city's drought contingency plan. During a more stringent drought triggering stage, the outdoor water use conditions from the drought contingency plan shall supersede this division. (Refer to drought contingency ordinance.)

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-219. Reserved.**

### **Sec. 31-220. Non-essential water use restrictions**

- (a) *Vehicle wash fundraisers.* Vehicle washing for fundraising purposes are not allowed unless they are held at a commercial car wash facility.
- (b) *Mobile vehicle washing.* Mobile vehicle washing can generate significant amounts of wash water and wastewater that contain pollutants such as oil, grease, and detergents. Mobile vehicle washing businesses will be required to obtain a permit for the business and its operations from the City of Laredo and will not be permitted to operate unless all run-off water is captured and properly disposed of. Discharge of wastewater from cleaning activities to the street, gutter or storm drain is strictly prohibited.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-221. Performance measurement tools.**

In an effort to monitor the effectiveness and efficiency of the existing water conservation and drought contingency ordinance, a water conservation database is used to document the number of watering violations throughout the city. The database can generate reports by type of violation, address of violation, date of violation, and by inspector name. The alleged violators receive water conservation pamphlets that help educate the customer and prevent the violation from reoccurring.

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The utility's water treatment plants also generate reports that show the water consumption on a daily, weekly, or monthly basis, which help make comparisons as needed. This report is a type of performance measurement tool that helps monitor the raw water intake and water treated at the water treatment plants and the delivery of potable water to the distribution system.

Additional performance measures will be implemented to monitor the effectiveness and efficiency of this division, as deemed necessary.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-222. Citizen participation.**

All citizens are required to participate in water conservation and encouraged to report any violation of this division to the City of Laredo Utilities Department—Water Conservation Program at (956) 721-2020, or the 311 Call Center at 3-1-1.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Secs. 31-225—31-235. Reserved.**

### **Sec. 31-236. Drought contingency plan for city utilities.**

- (a) *Declaration of purpose and objective.* The purpose of the city's drought contingency plan is to establish procedures for identifying and responding to a water supply emergency. The overall objective is to minimize any risks to public health and safety, preserve essential public services, and minimize any adverse impacts of a water supply emergency on the residents and economic wellbeing of the city. Every five (5) years, unless it is necessary earlier, this drought contingency plan will be reviewed and updated to ensure that the City of Laredo Utilities Department maintains the necessary established procedures for identifying and responding to any water supply emergency.
- (b) *Public involvement.* The city 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 public events, press releases, bill inserts and news. In addition, the city utilities advisory commission, made up from persons appointed by the mayor and council members, was created and discusses, as needed, ways to improve the implementation of the existing plan and to provide improved ways of reducing water consumption levels. A quarterly report from the commissions meetings will be made available to the public. At this time, any additional amendments made to the drought contingency plan may include similar strategies in an effort to promote more public involvement and feedback.
- (c) *Public education.* The city public utilities director or designee will maintain in a current condition, information about the city's water supplies, including water levels of the Amistad Reservoir, and shall provide this information to the mayor and city council, as appropriate. When the capacity of the Amistad Reservoir, emergency conditions exist, or the water treatment demand reach trigger levels, as specified in the stages of the drought contingency plan, the full range of information, goals, demand reduction measures, and penalties for each respective stage, as stated in the plan, will be communicated to the city's water customers. At that time, the drought contingency plan's mandatory stages will be declared depending on the severity of the conditions. The means of communication will be by public announcements in newspapers, radio, television and printed bulletins which will be posted at Laredo City Hall and, when warranted, will be

either mailed or hand delivered to water customers. In addition, a message about the activation of the drought contingency plan will be included on the water bills, city website, and staff from the utilities emergency call center and the 3-1-1 program will be provided detailed information to notify callers and improve customer service. Interviews, including a press conference, with all media sources will be made available by the City of Laredo Utilities Department in both languages, English and Spanish.

- (d) *Coordination with regional water planning groups.* The service area of the city is located within the Rio Grande Regional Planning Group, known as the Rio Grande Region (M). The City of Laredo had previously provided a copy of the existing water conservation and drought contingency ordinance to this group as an effort to maintain a close coordination with the Rio Grande Region (M). Copies of any amendment to this division will continue to be provided to the Rio Grande Region (M) Group in order to maintain a close communication with them in regards to water conservation efforts implemented for the city community or drought emergency triggers affecting the Rio Grande River along the Laredo border.
  - (e) *Authorization.* The mayor or the city manager is authorized to implement each stage of the drought contingency plan as the respective trigger levels are reached. The order to implement or terminate each respective stage shall be made by public announcement and shall be published at least one (1) time in a newspaper of general circulation in the city.
  - (f) *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 includes individuals, corporations, partnerships, associations, and all other legal entities.
  - (g) *Definitions.* Refer to section 31-16 for drought contingency plan definitions.
- ( Ord. No. 2019-O-139 , § 1, 8-19-19)

**Sec. 31-237. Bases of water use reduction measures and dam level conditions.**

Because of the stresses that sustained high peak water demands will place on the city's water system, the trigger conditions for the city drought contingency plan are based on excessive demand, as indicated in table 1. The water treatment plant (WTP) capacity described on table 1 is a combined total of 65 MGD for the Jefferson Water Treatment Plant and 20 MGD for the El Pico Water Treatment Plant.

**TABLE 1 WATER DEMAND TRIGGER CONDITIONS  
EXISTING WTP CAPACITY OF 85 MGD**

Water Use in Gallons Per Day	Duration— Consecutive Days	Classification	Stage
If water usage falls within the following ranges:			
Plant Capacity Total Flow of 85 MGD Less than 85% Equals less than 72.25 MGD	5 days	Mild Drought Conditions	Stage 1 - Voluntary & Mandatory
Plant Capacity Total Flow of 85 MGD 85% Equals 72.25 MGD	3 days	Moderate Drought Conditions	Stage 2 - Mandatory
Plant Capacity Total Flow of 85 MGD 90% Equals 76.5 MGD	1 day	Critical Drought Conditions	Stage 3 - Mandatory

Plant Capacity Total Flow of 85 MGD 95% Equals 80.75 MGD	1 day	Emergency Drought Conditions	Stage 4 - Mandatory
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In addition to the established trigger conditions based on water demand, the city has adopted the "regional" trigger conditions based upon the percent capacity of U.S. Waters contained within the Amistad Reservoir.

RECOMMENDED WATER LEVELS FOR  
IMPLEMENTATION OF VARIOUS  
DROUGHT CONTINGENCY PHASES

Minimum level of U.S. water storage in Amistad Reservoir at which phases/stages of municipal drought contingency plans will be implemented on a regional basis.

*Phase—Voluntary conservation trigger.* When the level of U.S. water stored in Amistad Reservoir reaches fifty-one (51) percent capacity or nine hundred and twenty four thousand eight hundred and thirty eight (924,838) acre-feet conservation capacity, voluntary stage of conservation may be put into effect. This phase consists of voluntary water conservation action to be taken by the general public, governmental agencies and all water users of waters from the Rio Grande River below Amistad Dam on the Rio Grande. Customers of the municipal water systems in the region shall be requested to voluntarily conserve and limit the use of water.

*Phase—Mandatory conservation trigger.* When the levels of U.S. water stored in Amistad Reservoir is between twenty-five (25) and fifty (50) percent capacity or between four hundred and fifty three thousand three hundred and fifty two (453,352) acre feet and nine hundred and six thousand seven hundred and four (906,704) acre-feet conservation storage, mandatory conservation may be declared. This phase consists of mandatory restrictions of the use of water and imposing of penalties and sanctions for violations of set restrictions.

*Phase—Water curtailment trigger.* When the level of U.S. water stored in Amistad Reservoir reaches fifteen (15) percent capacity or two hundred and seventy-two thousand and eleven (272,011) acre-feet conservation storage, this phase may be implemented. This phase reduces the maximum amounts of monthly water usage for residential and non-residential customers and imposes surcharges, irrigation meter cut-offs, and other sanctions for violations. In addition to the established trigger conditions based on water demand or reservoir levels, the mayor, or designee, will have the authority to declare an emergency water demand condition of mild, moderate or severe under the following conditions:

- (1) System-related problems, such as equipment failures and line breaks; and
- (2) Other conditions that may affect or otherwise limit the city's ability to meet the demand for water for a forty-eight-hour period.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

**Sec. 31-238. Drought response stages.**

*Stage 1—Mild water shortage watch.*

- (1) *Triggering level.* Amistad conservation level is above fifty-one (51) percent or WTP capacity is less than eighty-five (85) percent for five (5) consecutive days.
- (2) *Cumulative reduction goal.* 10%
- (3) *Voluntary Restrictions.*
  - a. Voluntary reduction of water use in commercial and industrial processes is recommended.

- b. Voluntary reduction for indoor domestic use is recommended by any means possible.
- c. Restaurants are asked not to serve water to customers unless specifically requested by the customers.

(4) *Wasting water.* The following uses of water are defined as wasting water and are prohibited:

- a. Allowing irrigation water to run off into a gutter, ditch or drain including the street or adjacent property;
- b. Failure to repair a controllable leak from a faucet, hose, sprinkler, backflow preventer, or meter within 5 days.
- c. Washing sidewalks, streets, driveways, parking area, tennis courts, or other paved areas, except to alleviate immediate fire hazards.
- d. Watering during precipitation.

(5) *Irrigation schedule.* Landscape watering with an irrigation system, sprinkler or soaker hose is allowed only twice a week before 8 a.m. and after 7 p.m. on your designated watering day, as determined by the last digit of your address. Landscape irrigation using a handheld hose with a positive shut-off nozzle shall be permitted any day at any time. Leaving a water hose unattended is strictly prohibited.

Stage 1	
Addresses ending in:	Addresses ending in:
0,2,4,6,8	1,3,5,7,9
Mondays and Thursdays only	Tuesdays and Fridays only

(6) *Mandatory Restrictions.* During Stage 2, the following restrictions shall apply to all persons.

- a. Washing of automobiles, trucks, trailers, boats, airplanes, and other mobile equipment with hand-held hoses that are equipped with a positive shut-off nozzle or buckets is permitted on designated days and times only.
- b. Filling and makeup of existing swimming pools, hot tubs, and similar facilities is permitted on designated days and times only.

*Stage 2—Moderate water shortage watch.*

(1) *Triggering level.* Amistad conservation level between twenty-five (25) and fifty (50) percent or WTP capacity is eighty-five (85) percent for three (3) consecutive days.

(2) *Cumulative reduction goal.* 15%

(3) *Mandatory restrictions.* During Stage 2, the following restrictions shall apply to all persons, commercial, and industrial users. Notice of such order shall be given by the city manager and/or mayor through appropriate circular, television, radio, newspaper and social media and include the following restrictions:

- a. Commercial nurseries, commercial sod farms, and other similar establishments are prohibited from watering between the hours of 11:00 a.m. and 6:00 a.m.;
- b. Vehicle washing may be exempted from this division if the health, safety and welfare of the public are contingent upon frequent vehicle cleaning, such as garbage trucks and vehicles used to transport food and perishables;

- c. Draining of swimming pools, hot tubs, and similar facilities is prohibited, except onto pervious surfaces;
- d. The operation of any ornamental fountain or other structure making similar use of water is prohibited except for those fountains or structures with a recycling system;
- e. The use of water for irrigation for parks, plazas, and squares is prohibited except on designated hours before 8:00 a.m. and after 7:00 p.m. of the designated irrigation days. The irrigation of golf course fairway is absolutely prohibited. Utilizing wastewater effluent or well water is exempted from the provisions of this division.

(4) *Voluntary Restrictions.*

- a. Voluntary reduction of water use in commercial and industrial processes is recommended;
- b. Voluntary reduction for indoor domestic use is recommended by any means possible.

(5) *Wasting water.* The following uses of water are defined as wasting water and are prohibited:

- a. Allowing irrigation water to run off into a gutter, ditch or drain including the street or adjacent property;
- b. Failure to repair a controllable leak from a faucet, hose, sprinkler, backflow preventer, or meter within 5 days;
- c. Washing sidewalks, streets, driveways, parking area, tennis courts, or other paved areas, except to alleviate immediate fire hazards;
- d. Watering during precipitation.

(6) *Irrigation schedule.* Landscape watering with an irrigation system, sprinkler or soaker hose is allowed only once a week before 8 a.m. and after 7 p.m. on your designated watering day, as determined by the last digit of your address. Customers with an address ending in an even number (0, 2, 4, 6, and 8) are only allowed to water between designated hours on Mondays only. Customers with an address ending in an odd number (1, 3, 5, 7, and 9) are only allowed to water between designated hours on Wednesdays only. Landscape irrigation using a handheld hose with a positive shut-off nozzle or drip irrigation shall be permitted any day at any time. Leaving a water hose unattended is strictly prohibited.

Stage 2	
Addresses ending in:	Addresses ending in:
0,2,4,6,8	1,3,5,7,9
Mondays only	Wednesdays only

(7) *Other mandatory restrictions.* During Stage 2, the following restrictions shall apply to all persons.

- a. Washing of automobiles, trucks, trailers, boats, airplanes, and other mobile equipment with hand-held hoses that are equipped with a positive shut-off nozzle or buckets is permitted on designated days and times only. Washing may be done at any time on the immediate premises of a commercial carwash or commercial service station;
- b. Filling and makeup of existing swimming pools, hot tubs, and similar facilities is permitted on designated days and times only.

(8) *Essential use:*

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- a. Firefighting. No restrictions;
  - b. Medical use by health care facilities. No restrictions.

(9) *Water utility use:*

- a. Reduction of average system pressure to fifty (50) psi is recommended;
- b. Leak detection and system repairs are recommended;
- c. Stabilizing and equalizing system pressure is recommended;
- d. Sewer line flushing: prohibited unless required for decontamination and/or public safety;
- e. Fire hydrant flushing: prohibited unless required for decontamination and/or public safety;
- f. Power production use: reduction of water use for power production is recommended.

*Stage 3—Critical water shortage condition.*

(1) *Triggering level.* Amistad conservation level is less than 25% or WTP capacity is ninety (90) percent for one (1) day.

(2) *Cumulative reduction goal.* 30%

(3) *Mandatory compliance—Water shortage alert.* During Stage 2, the following restrictions shall apply to all persons, commercial, and industrial users. Notice of such order shall be given by the city manager and/or mayor through appropriate circular, television, radio, newspaper and social media and include the following restrictions:

- a. Commercial nurseries, commercial sod farms, and other similar establishments may water once per week, on Mondays, between the hours of 6:00 a.m. and 10:00 a.m. Commercial nurseries, commercial sod farms, and other similar establishments are prohibited from watering on Tuesdays through Sundays, all day, and on Mondays between the hours of 11:00 a.m. and midnight;
- b. Vehicle washing may be exempted from this division if the health, safety and welfare of the public are contingent upon frequent vehicle cleaning, such as garbage trucks and vehicles used to transport food and perishables;
- c. The makeup of new swimming pools, hot tubs is prohibited. The filling or refilling of residential swimming and/or wading pools is prohibited;
- d. The operation of any ornamental fountain or other structure making similar use of water is prohibited except for those fountains or structures with a recycling system;
- e. The use of water for irrigation for parks, plazas, and squares is prohibited. The irrigation of golf course fairway is absolutely prohibited. Utilizing wastewater effluent or well water is exempted from the provisions of this division;
- f. No bulk water sales shall be made from the city or water points for any purpose when such water will be transported by any tanker truck or similar type vehicle outside the City of Laredo except for domestic or residential use or for livestock as approved by the utilities director;
- g. Fire hydrant water sales shall cease. Users shall be directed to obtain effluent from the wastewater treatment plants as available. Potable water shall only be made available for direct human consumption, to maintain sanitary conditions and for livestock only with written approval from the utilities director.

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(4) *Wasting water.* The following uses of water are defined as wasting water and are prohibited:

- (a) Allowing irrigation water to run off into a gutter, ditch or drain including the street or adjacent property;
- (b) Failure to repair a controllable leak from a faucet, hose, sprinkler, backflow preventer, or meter within 5 days;
- (c) Washing or watering of sidewalks, streets, driveways, parking area, tennis courts, or other paved areas, except to alleviate immediate fire hazards;
- (d) Watering during precipitation.

(5) *Irrigation schedule.* Landscape watering with an irrigation system, sprinkler or soaker hose is allowed only once a week before 8 a.m. and after 7 p.m. on your designated watering day, as determined by the last digit of your address. Customers with an address ending in an even number (0, 2, 4, 6, and 8) are only allowed to water between designated hours on Mondays only. Customers with an address ending in an odd number (1, 3, 5, 7, and 9) are only allowed to water between designated hours on Wednesdays only. Landscape irrigation using a handheld hose with a positive shut-off nozzle or drip irrigation shall be permitted any day at any time. Leaving a water hose unattended is strictly prohibited:

(a) The washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment is prohibited. Exception: Washing may be done at any time on the immediate premises of a commercial carwash or commercial service station.

Stage 3	
Addresses ending in:	Addresses ending in:
0,2,4,6,8	1,3,5,7,9
Every other Monday	Every other Wednesday

(6) *Other mandatory restrictions.* During Stage 2, the following restrictions shall apply to all persons.

- a. Washing of automobiles, trucks, trailers, boats, airplanes, and other mobile equipment with handheld hoses that are equipped with a positive shut-off nozzle or buckets is permitted on designated days and times only. Washing may be done at any time on the immediate premises of a commercial carwash or commercial service station;
- b. Filling and makeup of existing swimming pools, hot tubs, and similar facilities is permitted on designated days and times only.

(7) *Essential use.*

- a. Firefighting. No restrictions.
- b. Medical use by health care facilities. No restrictions.

(8) *Water utility use.*

- a. Reduction of average system pressure to (fifty (50) psi is recommended.
- b. Leak detection and system repairs are recommended.
- c. Stabilizing and equalizing system pressure is recommended.
- d. Sewer line flushing: reduction is recommended.
- e. Fire hydrant flushing: reduction is recommended.



- f. Power production use: reduction of water use for power production is recommended.

*Stage 4—Emergency water shortage condition.*

Stage 4 restrictions may be declared if the total supply of the Amistad Reservoir is insufficient to meet customer demand, even while complying with lesser restriction stages. These restrictions may be declared at the discretion of the City Manager upon completion of a 30-day monitoring period following Stage 3 declaration.

- (1) *Triggering level*, Amistad conservation level is less than twenty (20) percent or WTP capacity is ninety-five (95) percent for one (1) day.
- (2) *Cumulative reduction goal*. To be determined by the Water Conservation Program to protect human health, safety.
- (3) *Mandatory restrictions—Water shortage emergency*. During Stage 2, the following restrictions shall apply to all persons, commercial, and industrial users. Notice of such order shall be given by the city manager and/or mayor through appropriate circular, television, radio, newspaper and social media and include the following restrictions:
  - a. No applications for new, additional, either expanded or increased in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved or installed except as approved by the city utilities director;
  - b. All locations of water use to nonessential industrial and commercial customers shall be reduced to amounts as established by the city utilities director;
  - c. The maximum monthly water use allocation for residential customers may be established with revised rate schedules and penalties by the city council upon recommendation by the city utilities director;
  - d. Irrigation utilizing hose-end sprinklers or automatic sprinkler systems for lawns, gardens, landscaped areas, trees, shrubs and other plants is prohibited. Irrigation of lawns, gardens, landscaped areas, trees, shrubs or other plants is not permitted at any time. Commercial nurseries, commercial sod farmers, and similarly situated establishments are not exempt from Stage 4 irrigation restrictions. During Stage 4, the use of hand-held hoses or drip irrigation systems is not allowed. Zero tolerance in outdoor water usage;

Stage 4
Zero outdoor water usage permitted

- e. The washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment is prohibited;
 

Exception: Washing may be done at any time on the immediate premises of a commercial carwash or commercial service station. Further, such washing may be exempted from this division if the health, safety and welfare of the public are contingent upon frequent vehicle cleaning, such as garbage trucks and vehicles used to transport food and perishables;
- f. No bulk water sales shall be made from the city or water points for any purpose when such water will be transported by any tanker truck or similar type vehicle outside the City of Laredo except for domestic or residential use or for livestock as approved by the utilities director;
 

Fire hydrant water sales shall cease. Users shall be directed to obtain effluent from the wastewater treatment plants as available. Potable water shall only be made available for direct

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human consumption, to maintain sanitary conditions and for livestock only with written approval from the utilities director.

- g. The makeup of new swimming pools, hot tubs is prohibited. The filling of water to residential swimming and/or wading pools is prohibited;
- h. The operation of any ornamental fountain or other structure making similar use of water is prohibited except for those fountains or structures with a recycling system;
- i. The use of water for irrigation for parks, plazas, and squares is prohibited. The irrigation of golf course fairway is absolutely prohibited. Utilizing wastewater effluent or well water is exempted from the provisions of this division;
- j. Irrigation for athletic fields is prohibited;
- k. A water use surcharge of twenty dollars (\$20.00) shall be levied against all customers that use over fifteen thousand (15,000) gallons per month;
- l. All customers shall conserve a minimum of fifteen (15) percent of water;
- m. Any irrigation system found irrigating at any time during a Stage 4 will result in the irrigation meter to be cut off temporarily until Stage 4 is lifted or reversed to a Stage 3, Stage 2, or a Stage 1.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-239. Implementation and enforcement of the drought contingency plan.**

The City of Laredo Utilities Director has the primary responsibility for implementing and enforcing this drought contingency plan through the water conservation program. All water conservation orders described on this plan shall be enforced by the utility's water conservation inspectors and other utility personnel designated by the utilities director, such as code enforcement inspectors, code-certified personnel from other city departments, police officers, and the municipal court, as appropriate. Any employee of the City of Laredo Utilities Department designated by the utilities director and police department or code-certified employees from another city department may issue a warning or citation to a person that he or she reasonably believes to be in violation of this drought contingency plan.

During Stage 2, the alleged violator shall receive two (2) written warning before receiving the first citation. The two (2) written warnings may be for violation of any section, or combination of sections, found on this drought contingency plan. During Stage 3, the alleged violator shall receive only one (1) written warning before receiving the first citation. During Stage 4, the alleged violator shall receive zero (0) written warnings before receiving the first citation. No prior written warnings shall be required prior to issuing a citation during a Stage 4.

The citation shall be prepared in triplicate form and must contain the name and address of the alleged violator, if known, the offense charged, and shall direct him or her to appear at the City of Laredo Municipal Court on the date shown on the citation, which date shall be not less than five (5) days or more than ten (10) days from the date that the citation was issued. The citation must be issued to the alleged violator, an agent, manager, or employee of the violator, or to a person of age eighteen (18) years or older who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall be served with a copy of the citation, and a copy must be submitted to the water conservation program for data entry and recordkeeping. Any pictures taken as proof of violation shall also be submitted to the water conservation program with a copy of the citation. The original document(s) must be delivered to the City of Laredo Municipal Court for stamping and processing. The alleged violator shall appear at the City of Laredo Municipal Court to enter a plea of guilty or not guilty for the violation of this drought contingency plan. If the alleged violator fails to appear in court, a warrant for his or her arrest may be issued by the City of Laredo Municipal Court. A summons to appear in court may also be

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issued in lieu of an arrest warrant. Cases involving a violation of the drought contingency plan shall be expedited and given preferential setting at the City of Laredo Municipal Court before all other cases.

Note: During a Stage 4, any customer found utilizing over fifteen thousand (15,000) gallons of water per month, will receive a water use surcharge of twenty dollars (\$20.00) billed by the utilities customer service division. The fee will be added to the regular monthly payment of the account responsible for paying the water services delivered to the meter at the property in violation. In addition, any irrigation system found irrigating at any time during a Stage 4 will result in the irrigation meter to be shut off temporarily until Stage 4 is lifted or reversed to a Stage 3, Stage 2, or a Stage 1.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-240. Penalties for violation of the drought contingency plan.**

After receiving two (2) written warnings for any section or combination of sections during a Stage 2, one (1) written warning during a Stage 3, or zero (0) written warnings during a Stage 4, a person who violates this drought contingency plan shall be issued a citation and may be guilty of a class C misdemeanor. Upon citation and conviction, any person violating these provisions shall be subject to punishment as provided in section 31-132. All payments shall be made payable to the City of Laredo Municipal Court, as set forth in the City Code of Ordinances and approved and adopted by the city council.

Note: A previous violation shall not be considered if a period of one (1) year has elapsed since the violation was first incurred or the property is acquired by a new owner or tenant. In the event that a citation is issued erroneously and submitted to the Laredo Municipal Court, the citation shall be voided by the person issuing the citation only with a written approval from the utilities director.

( Ord. No. 2019-O-139 , § 1, 8-19-19)

### **Sec. 31-241. Variances.**

The city manager, or his/her designee, including the utilities director, may in writing, grant temporary variance for existing water uses otherwise prohibited under this plan when 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 (1) or more of the following conditions are met:

- (1) 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.
- (2) Alternative methods can be implemented and will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this division shall file a written petition for a variance with the city utilities department within five (5) days after Stage 2, Stage 3, or Stage 4 has been declared. All petitions for variances shall be reviewed by the city manager, or his/her designee, including the utilities director, and shall include the following:

- (1) Name, address, and contact information of the petitioner(s).
- (2) Purpose of water use in detail.
- (3) Specific provision(s) of the plan from which the petitioner is requesting relief.
- (4) 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 division.
- (5) Description of the relief requested.

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- (6) Period of time for which the variance is sought.
  - (7) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this plan and the compliance date.
  - (8) Other pertinent information.

Variations granted by the city utilities department shall be subject to the following conditions, unless waived or modified by the city manager or his/her designee:

- (1) Variations granted shall include a timetable for compliance.
- (2) Variations granted shall expire when the plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

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

Any petitioner requesting a variance will agree to follow certain watering conditions, as described in the approved variance, and violation of such conditions will result in a water waste fine without prior written warning(s).

( Ord. No. 2019-O-139 , § 1, 8-19-19)