

ORDINANCE NO. 2024-O-095

AMENDING CITY OF LAREDO CODE OF ORDINANCES, CHAPTER 31, ARTICLE III, DIVISION 4, WATER CONSERVATION IN MULTIPLE SECTIONS TO INCLUDE A REDUCTION IN THE GALLONS PER CAPITA PER DAY CONSUMPTION (GPCD) FROM 140 GPCD TO 130 GPCD BY YEAR 2029 AND 120 GPCD BY YEAR 2034, CHANGES IN CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES, CHANGES TO LANDSCAPE REGULATIONS APPLICABLE ON AND AFTER JANUARY 1, 2025, CHANGES TO OUTDOOR WATER MANAGEMENT, CHANGES TO WASTING WATER DEFINITIONS, CHANGES TO ALL DROUGHT STAGE IRRIGATION SCHEDULES, MANDATORY RESTRICTIONS FOR EACH DROUGHT STAGE; PROVIDING FOR PUBLICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Laredo is committed to protecting the Rio Grande River as a unique natural resource and a primary source of water; and

WHEREAS, the welfare of the citizens of Laredo is dependent upon the quality and quantity of the water from the Rio Grande River; and

WHEREAS, Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality, as amended, requires the surface water right applicants and holders of an existing permit, certified filing, or certificate of adjudication for the appropriation of surface water in the amount of 1,000 acre-feet per year or more for municipal, industrial, and other uses, and 10,000 acre-feet a year or more for irrigation uses use to prepare a water conservation and drought contingency plan; and

WHEREAS, the Texas Commission on Environmental Quality requires an update to all municipal water conservation and drought contingency plans every five years, in which this amendment is due by May 1, 2024; and

WHEREAS, the Texas Water Development Board requires a copy of all municipal water conservation and drought contingency plans in order to qualify for further funding; and

WHEREAS, Chapter 288, “Water Conservation Plans, Drought Contingency Plans, Guidelines, and Requirements” from the Texas Administrative Code outlines the criteria that must be included in a city’s water conservation plan and this amendment keeps the City of Laredo in compliance with state laws.

WHEREAS, the City of Laredo understands that the demand for water may significantly increase during the foreseeable future due to population growth; and

WHEREAS, the City of Laredo is committed to maximizing its water resources and recognizes that prolonged periods of drought, extreme heat and urban heat island effect significantly impact water availability from the Rio Grande River; and

WHEREAS, the City of Laredo wants to promote a culture among its citizens that values efficient water utilization and conservation of our water resources; and

WHEREAS, the City of Laredo Utilities Department's Water Master Plan and the Region M Plan include advanced water conservation strategies when projecting water demand for Laredo's future water needs; and

WHEREAS, to achieve and sustain an overall gallons per capita per day consumption as indicated in the Water Conservation and Drought Contingency Plan, different water conservation strategies become necessary; and

WHEREAS, the City of Laredo developed a Water Conservation and Drought Contingency plan to be adopted as a combined ordinance officially named the Water Conservation Ordinance; and

WHEREAS, the implementation of the water conservation plan on a year-round basis will result in a reduction of water use per capita without significantly impacting the quality of life for Laredo citizens; and

WHEREAS, the implementation of the drought contingency stages based on the triggering conditions described on the plan establishes procedures for identifying and responding to a water supply emergency minimizing any risks to public health and safety, preserving essential public services, and minimizing any adverse impacts of a water supply emergency on the residents and economic well-being of the city; and

WHEREAS, the City of Laredo Utilities Department has drafted language from the Water Conservation and Drought Contingency plan that would increase water conservation standards with input from the general public; and

WHEREAS, the recommended provisions address a variety of water uses and center around specific methods, equipment, and behaviors that will result in significant water savings upon implementation; and

WHEREAS, the City of Laredo is required by the Texas Commission on Environmental Quality and the Texas Water Development Board to update the current Water Conservation and Drought Contingency Plans to 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 a water supply available for future or alternative uses.

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

Section 1: That the City of Laredo's Water Conservation and Drought Contingency Plan attached hereto as Exhibit "A" and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

Section 2: That all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3: *Severability:* Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

Section 4: *Effective Date:* This Ordinance shall become effective not less than sixty (60) days from the date of the public hearing on this Ordinance, in accordance with the City Charter.

Section 5: *Publication:* After its passage by City Council, this Ordinance shall be published one (1) time in accordance with the provisions set forth in Section 2.09 (D) of the City Charter.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR

ON THE ____ DAY OF _____, 2024.

Dr. Victor Trevino
Mayor

ATTEST:

Mario I. Maldonado, Jr.
City Secretary

APPROVED AS TO FORM:

Doanh T. Nguyen
City Attorney

CITY OF LAREDO
WATER CONSERVATION AND
DROUGHT CONTINGENCY PLAN

REVISED APRIL 2024



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1.0 Declaration of Policy, Purpose, and Intent

This document combines the City of Laredo's Water Conservation and Drought Contingency Plan (DCP). In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Laredo hereby adopts the following regulations and restrictions on the delivery and consumption of water.

The Water Conservation and Drought Contingency Plan has been prepared in accordance with Texas Administrative Code Title 30 Chapter 288 Subchapter B Rule §288.20 for Municipal Uses by Public Water Suppliers.

2.0 Introduction and Objectives

The City of Laredo is located on the South Texas Border and has a semi-arid climate with currently one main water source, the Rio Grande river.

In an effort to reduce long-term capital expenditures and ensure water availability for all customers, 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. With the help of the Water Conservation and Drought Contingency Plan, the city will continue to implement additional activities and programs, as deemed necessary, in order to meet or exceed specific and quantified water conservation goals.

2.1 The objectives of the Water Conservation Plan are to:

1. Reduce water consumption;
2. Reduce the loss and waste of water;
3. Educate our community on the importance and value of water;
4. Promote water conservation and the efficient use of water through public outreach and education;
5. Promote native landscapes;
6. Provide customers and new comers with water conservation strategies;
7. Improve efficiency in the use of water; and
8. Extend the life of our current water supply by reducing the rate of growth of per capita demand.

2.2 The objectives of the Drought Contingency Plan are to:

1. Conserve the available water supply in times of drought and emergency;
2. Maintain supplies for domestic water use, sanitation, and fire protection;
3. Protect and preserve public health, welfare and safety;

4. Minimize the adverse impacts of water supply shortages; and
5. Minimize the adverse impacts of emergency water conditions.

3.0 Authorization

The City Manager, or 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 designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

4.0 Application

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

5.0 Definitions

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

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

Athletic Field: A field used for playing sports made up of turf grass and primarily used for organized sports practice, competitions or school events.

City manager: The City Manager for the City of Laredo, Texas or designee.

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

Conservation: Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: Any person, company, or organization using water supplied by the City of Laredo.

Designated outdoor water use day: The day prescribed by the City of Laredo irrigation schedule on which a person or business is permitted to water outdoors.

Drip irrigation: The method of low volume, low pressure water application for landscapes from a series of valves, pipes, tubes and emitters delivering water at a rate of 0.16 up to 4 gallons an hour.

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

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

Foundation watering: An application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

Hose-end sprinkler: An above ground water distribution device that attaches to a garden hose.

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

Institutional use: The use of water by an establishment dedicated to public service, such as a school, university, church, hospital, nursing home, prison, or government facility. All facilities dedicated to public service are considered institutional regardless of ownership.

Irrigation system: A system with fixed pipes and emitter or heads used for the irrigation of grass, turf, crops, trees, and pastureland.

Large water users: Customers who consume for than 4,000 gallons per day

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.

Municipal use: The use of potable water provided by a public water supplier as well as the use of sewage effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

Non-essential water use: Water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;

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

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

Ornamental fountain: A fountain with water feature that utilizes a jet, stream or flow of water and is not used for the preservation of aquatic life.

Residential customer: Customer who uses water that is billed to single and multi-family residences, which applies to indoor and outdoor uses.

Reclaimed water: Domestic or municipal wastewater which has been treated to a quality suitable for a beneficial use.

Residential use: The use of water that is billed to single and multi-family residences, which applies to indoor and outdoor uses.

Retail public water supplier: An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.

Total gallons per capita per day (GPCD): The total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in this chapter shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

Water conservation coordinator: The person designated by a retail public water supplier that is responsible for implementing a water conservation plan.

Xeriscape: A style of landscape design requiring little or no irrigation or other maintenance, used in arid regions.

6.0 Texas Commission on Environmental Quality Rules

Under Title 30 Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rule 288.2, surface water rights holder with 1,000 acre-feet or more for municipal, industrial, and other non-irrigation uses, such as the City of Laredo, are required to develop, implement, and submit updated Water Conservation Plans and Water Conservation Implementation Reports to the TCEQ every five years.

Under Title 30 Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.20, retail public water suppliers with 3,300 or more connections, such as the City of Laredo, are required to develop, implement, and submit updated Drought Contingency Plans to the TCEQ every five years.

7.0 Water Conservation Coordinator

The designation of a conservation coordinator is required by House Bill 1648, effective September 1, 2017, for all retail public water utilities with 3,300 service connections or more. As of February 2024, Mrs. Sheila Serna serves as the conservation coordinator and manages water conservation staff, data from various departments, and other resources as necessary for the purpose of developing, implementing, and evaluating the effectiveness of the utility's water conservation plan.

8.0 Coordination with Regional Water Planning Groups

The service area of the City of Laredo is located within the Rio Grande planning area. The Water Conservation Planner will provide a copy of the updated Water Conservation and Drought Contingency Plan as required by the Texas Water Development Board and the Texas Commission on Environmental Quality.

9.0 Public Involvement

A public hearing to receive comments on the Water Conservation and Drought Contingency was held on April 2, 2024, and May 6, 2024 during city council meetings. A public survey was also distributed via social media in order to collect public feedback (See Attachment 1 for results).

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.

10.0 Public Education

Public education is a key component of the Water Conservation Program which allows our community to understand the value of water and become aware of our water conservation needs.

The Water Conservation Program will continue to provide the public with information in English and Spanish about the Water Conservation and Drought Contingency, 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. Information promoting water conservation and the drought contingency plan will be provided by means of social media campaigns, public events, press release, and utility bill inserts.

The Water Conservation Program currently disseminates information such as:

- Presentations at schools, events and workshops
- Publications of flyers, door hangers and other promotional materials
- Promotion and tours of the Laredo Water Museum
- Reminders of day/time irrigation restrictions
- Promotion of the city's conservation measures
- HET rebate program
- World Water Day
- Fix a leak week

Additionally, a copy of the official Plan will be continuously provided on the City of Laredo Utilities website, <https://laredoutilities.com/>.

11.0 Water Conservation Plan

On April 15, 2024, the Texas Commission on Environmental Quality Rio Grande Watermaster Program sent out a letter to inform surface water right holders that the Amistad/Falcon reservoir system is at historically low levels. The TCEQ advised that without significant reductions in demand through water conservation, critical water shortages could further develop. As a result, an aggressive water conservation program is needed in Laredo to substantially reduce the average per capita day consumption and prolong the life of the Rio Grande River.

The City of Laredo Utilities Department did not meet the goals outlined in the 2019 Water Conservation Plan which included maintaining the per capita water consumption at 130 GPCD in 2024. In order to meet our 5-year (2029) and 10-year (2039) goals, more stringent restrictions have been put in place as outlined Section 12.0.

The City of Laredo's water conservation goals include the following:

- Reduce seasonal peak demands;
- Reduce water loss, unmetered water, and water waste;
- Decrease outdoor use by implementing a landscape irrigation schedule;
- Reach 5-year and 10-year goals for water loss in the system;
- Increase the use of effluent from wastewater treatment facilities;
- Educate and raise public awareness of water conservation and encourage all citizens to participate in responsible public behavior; and
- Establish a meter replacement program within the next 5 years.

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.

11.1 Water Utility Profile Summary

Below is a summary of the City of Laredo's water utility system:

| | |
|---------------------------------------|---|
| Water Service Area | 95.74 square miles |
| Utility's length of main lines | 1,108 miles |
| Water Supply Source | Rio Grande River |
| Population | 2023- 255,205 2030- 267,373 (estimated) 2040- 277,989 (estimated) |
| Connections | 90,633 in 2023 (Single Family, Multi-family, Commercial, Industrial) |

Water Treatment and Distribution System

Design daily capacity of system (MGD): **93 MGD**

Storage Capacity:

- a. Elevated: **13 MGD**
- b. Ground: **27.2 MGD**

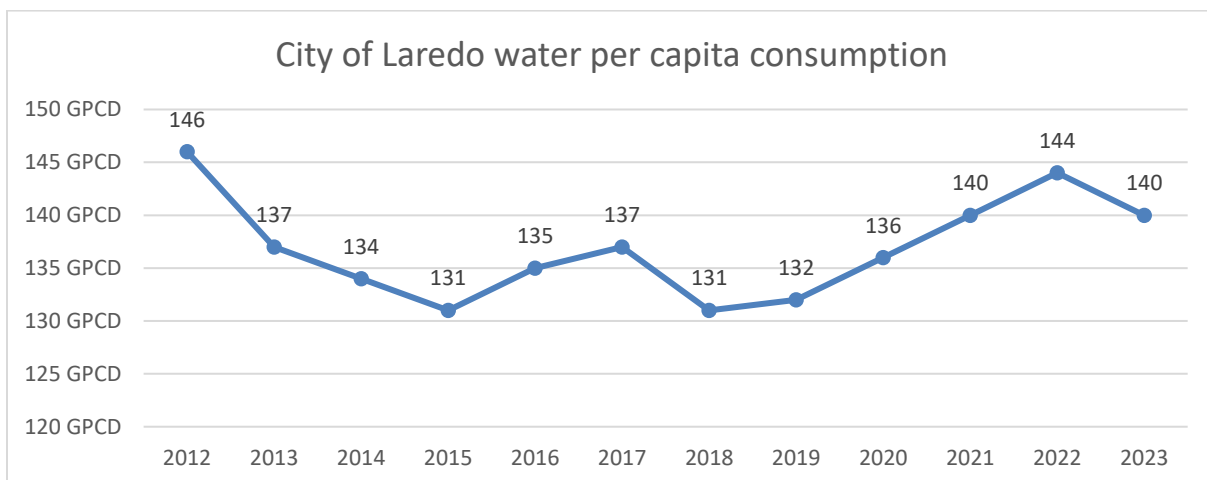
Water Use Data

| Year | Water use (Gallons) | Estimated Population | Water Loss Percentage | Peak Day in MGD |
|------|---------------------|----------------------|-----------------------|-----------------|
| 2023 | 1,633,461,517 | 255,153 | 12.54% | 44.99 |
| 2022 | 1,252,012,147 | 256,153 | 9.28% | 44.11 |
| 2021 | 1,447,724,867 | 255,205 | 11.08% | 38.63 |
| 2020 | 1,588,262,276 | 262,491 | 12.23% | 40.42 |
| 2019 | 990,484,586 | 261,639 | 7.89% | 42.58 |

Historical Total and Residential Per Capita Use

| Year | Total Per Capita Use | Residential Per Capita Use |
|------|----------------------|----------------------------|
| 2023 | 140 | 79 |
| 2022 | 144 | 78 |
| 2021 | 140 | 77 |
| 2020 | 136 | 74 |
| 2019 | 132 | 73 |

The following graph depicts the City of Laredo's water per capita consumption through the years.



11.2 Quantified 5-year and 10-year Water Conservation Goals

5-year target and goals:

- Per capita reduction goal- The City of Laredo's goal is to reduce per capita water consumption from 140 GPCD (2023) to 130 GPCD by 2029.
- Residential per capita reduction goal- The City of Laredo's goal is to reduce residential per capita water consumption from 79 GPCD (2023) to 75 GPCD by 2029.
- Water loss goal- The water loss goal for 2029 is to operate at a system water loss of 13 GPCD, which is equal to 10% of GPCD.

10-year target and goals:

- Per capita reduction goal- The City of Laredo's goal is to reduce per capita water consumption from 140 GPCD (2023) to 120 GPCD by 2034.
- Residential per capita reduction goal- The City of Laredo's goal is to reduce residential per capita water consumption from 79 GPCD (2023) to 70 GPCD by 2034.
- Water loss goal- The water loss goal for 2034 is to operate at a system water loss of 10 GPCD, which is equal to 8% of GPCD.

| Description | Historic 5-year Average | Baseline (2023) | 5-year goal (2029) | 10-year goal (2034) |
|------------------------------|-------------------------|--------------------|-----------------------|------------------------|
| Total GPCD | 138 | 140 | 130 | 120 |
| Residential GPCD | 76 | 79 | 75 | 70 |
| Water Loss GPCD | 23 | 18 | 13 | 10 |
| Water Loss Percentage | 11% | 12.54% | 10% | 8% |

11.3 Accurate Metering

- Diversion and Production Meters

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.

- **Delivery Meters**

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 customers as well as public facilities. 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 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.

11.4 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.

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.

11.5 Determination and Control of Unaccounted for Water

Unaccounted for water is the difference between treated water delivered to the City of Laredo from the water treatments facilities and metered water sales to customer in addition to authorized but unmetered uses. Unaccounted water can include several categories which include but are not limited to:

- (a) Inaccuracies in customer meters;
- (b) Losses due to water main breaks in the distribution system;
- (c) Losses due to the waterline leaks in the distribution system;
- (d) Losses due to illegal connections and theft of water;
- (e) Losses due to fire fighting.

The City of Laredo Utilities Department has implemented various measures to improve the accounting for unmetered water losses resulting from the flushing of water mains, firefighting, and main waterline breaks. Utilities Department staff has received and will continue to receive training in how to properly open and close valves and fire hydrants, which is essential in the repairing or replacement of waterlines. In addition, the utility will continue to use its sonic water leak detection equipment, as often as possible, when conducting periodic visual inspections along the distribution lines to detect water leaks.

Fire hydrant meters can only be installed, repaired, replaced, or removed 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. The fire hydrant meter and associated water sales are only intended for use by the person and/or business who signed the Service Agreement. Failure to abide by said requirements will lead to an automatic citation and removal of the fire hydrant 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.

When an illegal connection is identified, Water Conservation Inspectors take pictures, remove the illegal connection and confiscate the illegal device used as a connection, send correspondence to the property owner, document the file, and impose an illegal connection fee. Water conservation inspectors will then issue a citation for theft of water services and/or having an illegal connection. The water conservation inspectors notify the Police Department and are assigned a case number for each event. This case number is accompanied by the citation and taken to the municipal court for processing.

In order to determine the amount and source(s) of water loss, the City of Laredo Utilities Department will continue conducting water loss audits every year as required by the Texas Water Development Board.

11.6 Leak Detection and Repair Program

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 or breaks are identified, the utility dispatches servicemen 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, or backflow device 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 within 5 days of notice. Failure to repair the private leak, after the second warning, will constitute a citation and incur the penalties established in this ordinance plan.

The Utilities Department 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.

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 utility 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.

12.0 Drought Contingency Plan

The DCP is meant to set regulations and restrictions on the delivery and consumption of water under drought or emergency conditions. It outlines measures to ensure the sustainable use of water resources, preventing depletion and ensuring sufficient supply for essential needs.

Water uses regulated or prohibited under this DCP are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section 13 of this Plan.

Utilization of alternative water sources and/or alternative delivery mechanisms:

The City of Laredo has no alternative water source.

12.1 Criteria for Initiation and Termination of Drought Response Stages

The City Manager or designee shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specific “triggers” are reached. Public notification of the initiation or termination of drought response stages shall be by means of publication in a newspaper, public service announcement, and social media.

The triggering criteria described below are based on the average Amistad Reservoir capacity, Amistad/Falcon combined Reservoir capacity, and/or water treatment plant capacity.

Stage 1 Triggers -- MILD Water Shortage Conditions

| | |
|--------------------------------|---|
| Criteria for initiation | 1. Water treatment plant capacity has reached or exceeded 85% of delivery capacity for 4 consecutive days; 2. The Amistad Reservoir is at 51% storage capacity or higher; or 3. The combined capacity of the Amistad/Falcon reservoirs is 70% or higher capacity. |
| Management measures | Customers shall adhere to mandatory conservation measure and adhere to the prescribed restrictions on certain water uses as provided in Section 11.2 of this Plan. |

| | |
|---------------------------------|---|
| Criteria for termination | Stage 1 of the DCP may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. |
|---------------------------------|---|

Stage 2 Triggers – MODERATE Water Shortage Conditions

| | |
|---------------------------------|--|
| Criteria for initiation | <p>1. Water treatment plant capacity has reached or exceeded 90% of delivery capacity for 3 consecutive days;</p> <p>2. The Amistad Reservoir between 25% and 50% storage capacity; or</p> <p>3. The combined capacity of the Amistad/Falcon reservoirs is between 21% and 69% capacity.</p> |
| Management measures | Customers shall adhere to mandatory conservation measure and adhere to the prescribed restrictions on certain water uses as provided in Section 11.2 of this Plan. |
| Criteria for termination | Stage 2 of the DCP may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative. |

Stage 3 Triggers – CRITICAL Water Shortage Conditions

| | |
|--------------------------------|---|
| Criteria for initiation | <p>1. Water treatment plant capacity has reached or exceeded 95% of delivery capacity for 2 consecutive days;</p> <p>2. The Amistad Reservoir is lower than 25% storage capacity; or</p> <p>3. The combined capacity of the Amistad/Falcon reservoirs is lower than 20% capacity.</p> |
| Management measures | Customers shall adhere to mandatory conservation measure and adhere to the prescribed restrictions on certain water uses as provided in Section 11.2 of this Plan. |

| | |
|---------------------------------|---|
| Criteria for termination | Stage 2 of the DCP may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative. |
|---------------------------------|---|

Stage 4 Triggers –EXTREME DROUGHT OR EMERGENCY Water Shortage Conditions

| | |
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| Criteria for initiation (EXTREME DROUGHT) | 1. Water treatment plant capacity has reached or exceeded 95% of delivery capacity for 5 consecutive days; 2. The Amistad Reservoir is lower than 20% storage capacity; or 3. The combined capacity of the Amistad/Falcon reservoirs is lower than 15% capacity. |
| Criteria for initiation (EMERGENCY WATER SHORTAGE) | 1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; 2. Natural or man-made contamination of the water supply source(s); or 3. Water from the Rio Grande is unable to be pumped into water treatment plant system due to extreme drought conditions and depletion of the Rio Grande. |
| Management measures | Customers shall adhere to mandatory conservation measure and adhere to the prescribed restrictions on certain water uses as provided in Section 11.2 of this Plan. |
| Criteria for termination | The emergency water shortage condition may be rescinded when the City Manager, or designee, deems appropriate. |

12.2 Drought Response Stages

A summary of the water use reduction targets for each stage is presented in the following table. During stages 2, 3, and 4, requests for exceptions may be presented to the City Manager or designee.

| Stage Response | Amistad Reservoir Level Trigger | Amistad/Falcon Combined Reservoir Level Trigger | Plant Capacity Trigger | Target Demand Reduction Levels |
|--------------------|---------------------------------|---|--|--------------------------------|
| Stage 1- Mild | 51% or higher | 70% or higher | Reached or exceeded 85% for 4 consecutive days | 15% |
| Stage 2- Moderate | Between 25% and 50% | Between 21% and 69% | Reached or exceeded 90% for 3 consecutive days | 20% |
| Stage 3- Critical | Lower than 25% | Lower than 20% | Reached or exceeded 95% for 2 consecutive days | 25% |
| Stage 4- Emergency | Lower than 20% | Lower than 15% | Reached or exceeded 95% for 1 consecutive days | 50% |

12.3 Drought Mitigation Strategies

The following strategies are put into place to ensure the success of the water conservation and drought contingency plans.

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.

(a) Xeriscaping option.

1. 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 on the City of Laredo Utilities Department website.

2. Xeriscaping for existing public facilities. It will be required that landscaping on existing municipal, county, state, and federal buildings, including public libraries, industrial parks, and commercial developments be converted to Xeriscape within ten (10) years from the effective date of this division.
- (b) *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.
- (c) *Zonal system*. In-ground irrigation systems installed on and after January 1, 2006, shall be zonal irrigation system.
- (d) *Pop-up sprays*. Pop-up sprays and irrigation rotor heads must be directed away from any impervious surfaces and shall not be placed less than 4 inches from an impervious surface.

Outdoor Water Management

The following are outdoor water management requirements under all stages:

- (a) *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.
- (b) *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.
- (c) *Swimming pools*.
 - (1) All non-public swimming pools must have a minimum of 25 percent of the surface area covered with evaporation screens when not in use.
 - (2) Splash parks and all other water parks shall be equipped with filtration and recirculation system and must be maintained in good working conditions.

- (3) Pool companies offering installation and/or maintenance services under this code must give each customer written information on maintenance requirements, emphasizing preventive measures to maintain high water quality and alternatives to draining pools for water quality issues, unless draining is necessary for physical repairs.
- (d) *Irrigation for parks, golf courses, and athletic fields.* City of Laredo Parks may irrigate more than three times a week (except during Stage 4) provided, an Annual Water Conservation Plan is submitted to the Water Conservation Program. Effective January 1, 2025, operators of golf courses, athletic fields, and parks that do not use effluent water must submit an Annual Water Conservation Plan no later than August 1, 2025. The water conservation plan shall include conservation goals and targets, conservation improvements from the year prior and improvements for the year ahead, and techniques and technologies that will reduce the loss of water, or increase the recycling and reuse of water. A revised plan should be submitted every year by August 1.
- (e) *Mobile Vehicle Washing.*
- (1) Mobile vehicle washing businesses, which provides on-site services, will not be permitted, unless a permit is obtained from the City of Laredo. In addition, mobile vehicle washing businesses 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. Businesses must use an eco-friendly vehicle washing system that features a super fine mist of 1.6 gallons of water per minute or less.
- (2) Vehicle washing for fundraising or promotion of business will no longer be permitted unless conducted at a commercial car wash.

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary 15% reduction in daily water demand.

Best Management Practices for Supply Management:

- A public announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water;
- Reduce landscape water consumption at all City of Laredo facilities by 10%;

- Increase targeted outreach to high consumption customers to urge water use reductions;
- Implement mandatory restrictions on certain non-essential water use (i.e. lawn irrigation, vehicle washing at home, golf courses).

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

(1) *Triggering level.* Amistad conservation level is above fifty-one (51) percent, Amistad/Falcon combined reservoir storage is seventy (70) percent or higher, or WTP capacity is less than eighty-five (85) percent for five (4) consecutive days.

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

- Allowing irrigation water to run off into a gutter, ditch or drain including the street or adjacent property;
- Failure to repair a controllable leak from a faucet, hose, sprinkler, backflow preventer, or meter within 5 days;
- Operating an irrigation system with a broken head, head that is out of adjustment or a head that is misting due to high water pressure;
- Allowing overspray and runoff during irrigation that runs, flows, or streams in a way that extends into streets, driveways, or other impervious surfaces for a distance of 30 feet or greater or that causes water to pond at a depth of 0.25 inches or greater;
- Washing sidewalks, streets, driveways, parking area, tennis courts, buildings and structures or other paved areas, except to alleviate immediate fire hazards;
- Watering during precipitation.

(3) *Irrigation schedule.*

- Landscape watering with an irrigation system, sprinkler or soaker hose is allowed only three times 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, 8) are only allowed to water between designated hours on Mondays,

Wednesdays, and Fridays. Customers with an address ending in an odd number (1, 3, 5, 7, 9) are only allowed to water between designated hours on Tuesdays, Thursdays, and Saturdays.

(b) Landscape irrigation using a handheld hose with a positive shut-off nozzle, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system shall be permitted any day at any time.

(c) Leaving a water hose unattended is strictly prohibited.

(4) *Mandatory Restrictions.* During Stage 1, 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) 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) 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) Use of commercially operated cosmetic power/pressure washing equipment is not permitted unless it is fitted with a water recycling unit and a spray nozzle using no more than 3.5 gallons of water per minute and is equipped with a positive shut-off nozzle with a protective weep mechanism;

(d) Draining of swimming pools, hot tubs, and similar facilities is prohibited, except onto pervious surfaces;

(e) Filling and makeup of existing swimming pools, hot tubs, and similar facilities is permitted on designated days and times only;

(f) The irrigation of golf course fairway is absolutely prohibited. Utilizing wastewater effluent or well water is exempted from the provisions of this division.

(5) *Essential use:*

(a) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Laredo.

(b) Medical use by health care facilities. No restrictions.

(6) *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 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a 20% reduction in daily water demand.

Best Management Practices for Supply Management:

- A public announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water;
- Reduce landscape water consumption at all City of Laredo facilities by 20%;
- Increase targeted outreach to high consumption customers to urge water use reductions;
- Implement mandatory restrictions on certain non-essential water use (i.e. lawn irrigation, vehicle washing at home, golf courses);
- Reduce routine line flushing;
- Reduce routine fire hydrant flushing.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (1) *Triggering level.* Amistad conservation level between twenty-five (25) and fifty (50) percent, Amistad/Falcon combined reservoir capacity is between twenty-one (21) and sixty-nine (69) percent, or WTP capacity is ninety (90) percent for three (3) consecutive days.
- (2) *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) Operating an irrigation system with a broken head, head that is out of adjustment or a head that is misting due to high water pressure;
 - (d) Allowing overspray and runoff during irrigation that runs, flows, or streams in a way that extends into streets, driveways, or other impervious surfaces for a distance of 30 feet or greater or that causes water to pond at a depth of 0.25 inches or greater;
 - (e) Washing sidewalks, streets, driveways, parking area, tennis courts, building and structures, or other paved areas, except to alleviate immediate fire hazards; and
 - (f) Watering during precipitation.
- (3) *Irrigation schedule.*
 - (a) 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. 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 and Wednesdays 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 Tuesdays and Thursdays only;
 - (b) Landscape irrigation using a handheld hose with a positive shut-off nozzle or drip irrigation shall be permitted any day at any time; and
 - (c) Leaving a water hose unattended is strictly prohibited.

(4) *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) 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;
- (c) 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;
- (d) Use of commercially operated cosmetic power/pressure washing equipment is not permitted unless it is fitted with a water recycling unit and a spray nozzle using no more than 3.5 gallons of water per minute and is equipped with a positive shut-off nozzle with a protective weep mechanism;
- (e) Draining of swimming pools, hot tubs, and similar facilities is prohibited, except onto pervious surfaces;
- (f) Filling and makeup of existing swimming pools, hot tubs, and similar facilities is permitted on designated days and times only;
- (g) The irrigation of golf course fairway is absolutely prohibited. Utilizing wastewater effluent or well water is exempted from the provisions of this division.

(5) *Essential use:*

- (a) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Laredo;

- (b) Medical use by health care facilities. No restrictions.
- (6) *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; and
 - (f) Power production use: reduction of water use for power production is recommended.

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a 25% reduction in daily water demand.

Best Management Practices for Supply Management:

- A public announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water;
- Landscape irrigation shall be limited to once every other week;
- Increase targeted outreach to high consumption customers to urge water use reductions;
- Implement mandatory restrictions on certain non-essential water use (i.e. lawn irrigation, vehicle washing at home, golf courses);
- Reduce routine line flushing;
- Reduce routine fire hydrant flushing.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (1) *Triggering level.* Amistad conservation level lower than twenty-five (25) percent, Amistad/Falcon combined reservoir capacity is below twenty (20), or WTP capacity is ninety-five (95) percent for two (2) consecutive days.
- (2) *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) Operating an irrigation system with a broken head, head that is out of adjustment or a head that is misting due to high water pressure;
- (d) Allowing overspray and runoff during irrigation that runs, flows, or streams in a way that extends into streets, driveways, or other impervious surfaces for a distance of 30 feet or greater or that causes water to pond at a depth of 0.25 inches or greater;
- (e) Washing sidewalks, streets, driveways, parking area, tennis courts, building and structures, or other paved areas, except to alleviate immediate fire hazards; and
- (f) Watering during precipitation.

(3) *Irrigation schedule.*

- (a) 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. 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 Thursdays only.
- (b) Landscape irrigation using a handheld hose with a positive shut-off nozzle or drip irrigation shall be permitted any day at any time.
- (c) Leaving a water hose unattended is strictly prohibited.

(4) *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 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) 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;
 - (c) 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;
 - (d) Use of commercially operated cosmetic power/pressure washing equipment is not permitted unless it is fitted with a water recycling unit and a spray nozzle using no more than 3.5 gallons of water per minute and is equipped with a positive shut-off nozzle with a protective weep mechanism;
 - (e) Draining of swimming pools, hot tubs, and similar facilities is prohibited, except onto pervious surfaces;
 - (f) The makeup of new swimming pools, hot tubs are prohibited. The filling or refilling of residential swimming and/or wading pools is prohibited;
 - (g) The irrigation of golf course fairway is absolutely prohibited. Utilizing wastewater effluent or well water is exempted from the provisions of this division;
 - (h) 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;
 - (i) 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.

(5) *Essential use:*

- (a) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Laredo;
- (b) Medical use by health care facilities. No restrictions.

(6) *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 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a reduction goal to be determined by City of Laredo based on the nature of the emergency.

Best Management Practices for Supply Management:

- A public announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water;
- Increase targeted outreach to high consumption customers to urge water use reductions;
- Implement mandatory restrictions on certain non-essential water use (i.e. lawn irrigation, vehicle washing at home, golf courses);
- Flushing is prohibited except for dead end mains and only between the hours of 9 p.m. and 3 p.m. Emergency interconnects or alternative supply arrangements shall be initiated. All meter shall be read as often as necessary to insure compliance with this program for the benefit of all customers.

Water Use Restrictions for Reducing Demand:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (1) *Triggering level*, Amistad conservation level is less than twenty (20) percent, Amistad/Falcon combined reservoir storage is lower than fifteen (15) 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 4, 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;

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

Exception: 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;
- (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;
- (h) The makeup of new swimming pools and hot tubs is prohibited. The filling of water to residential swimming and/or wading pools is prohibited;
- (i) The operation of any ornamental fountain or other structure making similar use of water is prohibited;
- (j) The use of water for irrigation for parks, plazas, and squares is prohibited. The irrigation of golf course fairway is absolutely prohibited;
- (k) Irrigation for athletic fields is prohibited;
- (l) 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;
- (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.

(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) Allowing irrigation water to run off into a gutter, ditch or drain including the street or adjacent property;
- (c) Failure to repair a controllable leak from a faucet, hose, sprinkler, backflow preventer, or meter within 5 days.
- (d) Operating an irrigation system with a broken head, head that is out of adjustment or a head that is misting due to high water pressure;
- (e) Allowing overspray and runoff during irrigation that runs, flows, or streams in a way that extends into streets, driveways, or other impervious surfaces for a distance of 30 feet or greater or that causes water to pond at a depth of 0.25 inches or greater;
- (f) Washing sidewalks, streets, driveways, parking area, tennis courts, buildings and structures or other paved areas, except to alleviate immediate fire hazards.
- (g) Watering during precipitation.

(5) *Essential use:*

- (a) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Laredo;
- (b) Medical use by health care facilities. No restrictions.

(6) *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.

12.3 Notification

The City Manager or designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section 11.1 of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification of the Public:

The City Manager, or designee shall notify the public by means of:

- City of Laredo website,
- City of Laredo Utilities website (<https://laredoutilities.com/>),
- Public service announcements,
- Social media announcements, and
- Notice on monthly billing.

Additional Notification:

The City Manager or designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Mayor and members of the City Council
- Fire Chief
- City and/or County Emergency Management Coordinator
- County Judge and Commissioner(s)
- Major water users (such as industries)
- Critical water users (such as hospitals)
- Parks/street superintendents and public facilities managers
- Texas Commission on Environmental Quality (TCEQ) – note TCEQ executive director MUST be informed within five (5) business days of mandatory water use restrictions being imposed

13.0 Non-Proportional Water Rate Structure

With the intent of encouraging water conservation and discouraging waste and excessive use of water, the City of Laredo has adopted a water usage rate structure where the unit price of water increases with increasing water use.

The utilities department 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 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 the Laredo Code of Ordinances, Chapter 31-Utilities, Article III.-Water, Division 3.- Rates and Charges, Section 31-138-Water Rates. The sewer rate increase plan is as specified in section 31-92, Rates and Charges.

14.0 Implementation and Enforcement of the Water Conservation and Drought Contingency Plan

- (a) No person shall knowingly or intentionally allow the use of water from the City of Laredo for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City Manager or designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than fifty dollars (\$50) and not more than five hundred dollars (\$500). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Utilities Director shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$500, and any other costs incurred by the City of Laredo in discontinuing service. In addition, suitable assurance must be given to the Utilities Director that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the City of Laredo, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation

occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

- (d) Any employee of the City of Laredo Utilities Department designated by the utilities director, police officer, or code-certified employees from another city department may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear at the City of Laredo Municipal Court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. 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 Plan. If the alleged violator fails to appear at the City of Laredo Municipal Court, a warrant for his/her arrest may be issued. A summons to appear may 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.
- (e) 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.

14.1 Penalties

After receiving one (1) written warning for any section or combination of sections, a person who violates this Water Conservation Ordinance Plan shall be issued a citation and may be guilty of a Class C misdemeanor.

Each violation of a particular section of this ordinance shall constitute a separate offense. Customers have 3 calendar days to adjust automatic irrigation systems and irrigation schedules and 5 calendar days to repair leaks or conduct maintenance. 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.

All payments shall be made payable to the City of Laredo Municipal Court, as set forth in the City Code of Ordinances. The Municipal Court shall transfer a total of 50% of each fine to a "water conservation fund" in the Utility Departments annual budget. Funds from the "water conservation fund" shall be used by Water Conservation Program in ways that related to water conservation, which include, but are not limited to, rebates, education, water conservation programs and outreach materials.

15.0 Reservoir System Operations Plan

The City of Laredo does not own a reservoir; therefore, a reservoir systems operation plan is not applicable to the City.

16.0 Variances

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

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

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

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.

- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (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 Plan and the compliance date.
- (h) Other pertinent information.

No variances 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).

17.0 Review and Update for the plans

The City of Laredo Utilities Department shall review and update its water conservation and drought contingency 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 and drought contingency 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.