

RESOLUTION 2024-003

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST CEDAR CREEK FRESH WATER SUPPLY DISTRICT ADOPTING A DROUGHT CONTINGENCY PLAN.

WHEREAS, the board recognizes that the amount of water available to the East Cedar Creek FWSD and its water utility customers is limited and subject to depletion during periods of extended drought

WHEREAS, the Texas Water Development Board Rules for Financial Assistance requires preparation and implementation of a drought contingency plan

WHEREAS, the Texas Water Code and applicable rules of the Texas Commission on Environment Quality require all public water supply systems in Texas to prepare Drought Contingency plan: and

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of East Cedar Creek Fresh Water Supply District;

Section 1. That the Drought Contingency Plan approved by resolution 2006-004, amended by resolution 2009-005, resolution 2014-001, resolution 2018-003 and resolution 2019-002 hereto as Exhibit "A" Brookshire Drought Contingency Plan and Exhibit "B" McKay Drought Contingency Plan made part hereto for all purposes be, and the same is hereby, adopted as the official policy of the East Cedar Creek FWSD.

Section 2. That the General Manager is hereby directed to be the District's Conservation Coordinator to implement the Drought Contingency Plan.

Section 3. That this resolution shall take effect immediately upon passage.

PASSED AND APPROVED THIS 17th day of April 2024.



President, Board of Directors
East Cedar Creek Fresh Water Supply District

Attest:



Secretary, Board of Directors
East Cedar Creek Fresh Water Supply District

East Cedar Creek FWSD aka: ECCFWSD
McKay PWS: 1070019
Drought Contingency Plan
for a Retail Public Water Supplier

Name:	<u>East Cedar Creek FWSD aka: ECCFWSD - McKay</u>	
Address:	<u>115 Hammer Road</u>	
Telephone Number:	<u>(903) 887-7103</u>	<u>Fax: (903) 8874299</u>
Water Right No.(s):	<u>Purchase Raw Water from Tarrant Regional Water District</u>	
Regional Water Planning Group:	<u>Region C</u>	
Form Completed by:	<u>James Blodgett Jr.</u>	
Title:	<u>ECCFWSD General Manager</u>	
Person responsible for implementation:	<u>General Manager</u>	<u>Phone: (903) 887-7103</u>
Signature:	<u></u>	<u>Date: 4/17/24</u>

Section I: Declaration of Policy, Purpose, and Intent

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

Water uses regulated and or prohibited under this Drought Contingency Plan (the Plan) are 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 X of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the ECCFWSD by means of Public Notification by Customer News Letter, Posting on ECCFWSD Website and Local Newspaper requesting public input.

Section III: Public Education

The ECCFWSD will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of utility bill inserts, press release in local newspaper and posting on ECCFWSD Website.

Section IV: Coordination with Regional Water Planning Groups

The service area of the ECCFWSD is located within the Region C Water Planning Group. and ECCFWSD has provided a copy of this Plan to the Region C Water Planning Group.

Section V: Authorization

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

Section VI: Application

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

Section VII: Definitions

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

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

Commercial and institutional water use: water use that is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and public 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 East Cedar Creek Fresh Water Supply District.

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.

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

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

Landscape irrigation use: 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.

Non-essential water use: water uses that are not essential or 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; use of water to wash down buildings or structures for purposes other than immediate fire protection; flushing gutters or permitting water to run or accumulate in any gutter or street; use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools; use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life; failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and use of water from hydrants for construction purposes or any other purposes other than fire protection.

Section VIII: Initiation and Termination of Drought and Emergency Response Stages

The provisions of this Plan shall apply to all persons, customers, and property utilizing potable water provided by ECCFWSD. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities. The Plan does not apply to locations using treated wastewater effluent or private wells or their own water rights in the Trinity River.

The Plan may be applied to the entire ECCFWSD service area or geographic portions of the service area as necessary. If the Plan is applied only to a limited sector, the boundaries will be defined in terms of roadways, creeks and other easily distinguishable features, such as city limits.

Initiation of a Drought and Emergency Response Stage

The General Manager, or his/her official designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when one or more of the trigger conditions for a drought or emergency stage is met. The following actions will be taken when a drought stage is initiated:

- The public will be notified through billing notices, ECCFWSD website, newspapers, as well as with signs posted in public areas. If conditions become critical notice in addition to the above public notice procedures alerts will be disseminated to television and radio stations.
- ECCFWSD will notify the Executive Director of TCEQ within 5 business days when mandatory provisions of the plan are activated. For other trigger conditions, the General Manager or his/her official designee may decide not to order the implementation of a drought response stage or water emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

Termination of a Drought Stage

The General Manager or his/her official designee will order the termination of a drought response stage or water emergency when the conditions for termination are met. The following actions will be taken when a drought stage is terminated:

- The public will be notified through billing notices, ECCFWSD website, newspapers, as well as with signs posted in public areas.
- If any mandatory provisions of the drought contingency plan that have been activated are terminated, ECCFWSD will notify the Executive Director of the TCEQ within 5 business days.

The General Manager or his/her official designee may decide, under special circumstances, not to order the termination of a drought response stage or water emergency even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought stage. The reason for this decision should be documented.

Section IX: Drought and Emergency Response Stages

Stage 1, Water Watch

Triggering Conditions

- ECCFWSD water demand exceeds 85% of reliable delivery capacity for three consecutive days. The delivery capacity could be system wide or in a specified portion of the system.
- ECCFWSD water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.
- ECCFWSD water treatment or distribution system becomes contaminated.
- ECCFWSD water supply system is unable to deliver water due to the failure or damage of major water system components, or due to other criteria, such as energy shortages or outages.
- TRWD initiated Stage 1 – Water Watch for one or more of the following reasons:
 - Total raw water supply in TRWD western and eastern division reservoirs drops below 75% (25% depleted) of conservation storage.
 - Water demand for all or part of the TRWD delivery system exceeds delivery capacity because delivery capacity is inadequate.
 - Water demand is projected to approach the limit of TRWD's permitted supply.
 - Water supply source becomes contaminated.
 - Water supply system is unable to deliver water due to the failure or damage of major water system components.
 - The TRWD General Manager, with the concurrence of the TRWD Board of Directors, finds that conditions warrant the declaration of a Stage 1 drought.

Terminating Conditions for Stage 1

Stage 1 will be terminated when TRWD reservoirs exceeds 95% of conservation storage or remains above 85% for 90 consecutive days, whichever occurs first or when local circumstances that caused the initiation of Stage 1 no longer prevail.

Goal for Use Reduction

The goal for water use reduction under Stage 1, Water Watch, is to decrease use by five percent. If circumstances warrant or if required by TRWD, the General Manager or his/her official designee can set a goal for greater water use reduction.

Actions Available under Stage 1, Water Watch

The General Manager or his/her official designee may order the implementation of any of the other actions listed below, as deemed necessary. The supplier must notify TCEQ within five business days if any mandatory measures are implemented.

The General Manager or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures.

Under potential penalty for violation, the following water use restrictions shall apply:

All Water Users

- Initiate restrictions to prohibit non-essential water use as follows:
 - Hosing of paved areas, such as sidewalks, driveways, parking lots, tennis courts, or other impervious surfaces, except to alleviate an immediate health or safety hazard.
 - Hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting.
- Washing of any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle shall be limited to the use of a hand-held bucket or a hand-held hose equipped with a positive-pressure shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Companies with an automated on-site vehicle washing facility may wash its vehicles at any time. Further, such washing may be exempt from these requirements if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
 - The filling, draining, or refilling of swimming pools, wading pools, hot tubs and Jacuzzi type pools except to maintain adequate water levels for structural integrity, proper operation and maintenance, and/or to alleviate issues that pose a public safety risk.
- Prohibit using water in such a manner as to allow runoff or other waste, including:
 - 1) failure to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
 - 2) operating a permanently installed irrigation system with: (a) a broken head; (b) a head that is out of adjustment and the arc of the spray head is over a

street or parking lot; or (c) a head that is misting because of high water pressure; or

- 3) during irrigation, allowing water to (a) run off a property and form a stream of water in a street for a distance of 50 feet or greater; or (b) to pond in a street or parking lot to a depth greater than one-quarter of an inch.

- Prohibit outdoor watering with hose-end sprinklers or irrigation systems between 10 a.m. and 6 p.m.
- Limit landscape watering with hose-end sprinklers or irrigation systems at each service address to twice per week. Includes landscape watering of parks, golf courses and sports fields.
 - No landscape watering on Mondays
 - Residential customers with street addresses ending in an even number (0, 2, 4, 6, or 8) may water on Wednesdays and Saturdays.
 - Residential customers with street addresses ending in an odd number (1, 3, 5, 7, 9) may water on Thursdays and Sundays.
 - All non-residential locations (apartment complexes, businesses, industries, parks, medians, etc.) may water on Tuesdays and Fridays.

Exceptions:

- Foundations may be watered up to two hours on any day by handheld hose; or using a soaker hose or drip irrigation system placed within 24-inches of the foundation that does not produce a spray of water above the ground.
- Trees (up to two years) may be watered up to two hours on any day by handheld hose, drip irrigation, a soaker hose or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
- Irrigation of landscaped beds and personal food gardens is permitted any time by means of a hand-held hose, a faucet filled bucket or watering can (five gallons or less), by soaker hose or drip irrigation system.
- Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the General Manager, if the General Manager determines that a property cannot be completely irrigated with an average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be irrigated on different days.
- Twice per week landscape watering restrictions do not apply to locations using well water, treated wastewater effluent, or other sources not connected to the East Cedar Creek FWSD water system.
- Establishing new turf is discouraged. If new hydro-mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no watering restrictions for the first 30 days while it is being established. After that, the watering restrictions set forth in this stage apply. (This exception does not include over seeding with rye since turf already exists.)

- All users are encouraged to reduce frequency of draining and refilling swimming pools.
- All users are encouraged to use Texas native and drought tolerant plants in landscaping.

City and Local Governments

- Review conditions and problems that caused Stage 1. Take corrective action.
- Increase public education efforts on ways to reduce water use.
- Increase enforcement efforts.
- Intensify leak detection and repair efforts.
- Audit all city and local government irrigation systems to ensure proper condition, settings, and operation.
- Identify and encourage voluntary reduction measures by high-volume water users through water use audits.
- Landscape watering of municipal parks, golf courses, and sports fields is limited to twice per week watering schedule; or twice per week per irrigation station if a variance is granted by the General Manager, or his/her designee. (See exceptions to outdoor watering restrictions in all water users category for rules that apply to facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes without restrictions, however watering must be done before 10 a.m. and after 6 p.m.
- Skinned areas of sports fields may be watered as needed for dust control.
- Reduce non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.
- The General Manager or his/her designee will notify wholesale customers of actions being taken and request them to implement the same drought stage and measures.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Landscape watering of parks, golf courses, and sports fields is limited to twice per week watering schedule; or twice per week per irrigation station if a variance is granted by the Water Utilities Director. (See exceptions to outdoor watering restrictions in all water users category above for rules that apply to facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes without restrictions, however watering must be done before 10 a.m. and after 6 p.m.
- Skinned areas of sports fields may be watered without restrictions as needed for dust control.

- Professional sports fields (playing fields with a stadium only – not surrounding landscaping) may be watered as needed to maintain league standards.
- Stock at commercial plant nurseries is exempt from Stage 1 watering restrictions.
- Hotels, restaurants, and bars are encouraged to serve drinking water to patrons on an “on demand” basis.
- Hotels are encouraged to implement laundry conservation measures by encouraging patrons to reuse linens and towels.

Stage 2, Water Warning

Triggering Conditions

- ECCFWSD water demand exceeds 90% of reliable delivery capacity for two consecutive days. The delivery capacity could be system wide or in a specified portion of the system.
- ECCFWSD water demand for all or part of the delivery system equals or exceeds delivery capacity because delivery capacity is inadequate.
- ECCFWSD water treatment or distribution system becomes contaminated.
- ECCFWSD water supply system is unable to deliver water due to the failure or damage of major water system components, or due to other criteria, such as energy shortages or outages.
- TRWD initiated Stage 2 – Water Warning for one or more of the following reasons:
 - Total raw water supply in TRWD western and eastern division reservoirs drops below 60% (40% depleted) of conservation storage.
 - Water demand for all or part of the TRWD delivery system exceeds delivery capacity because delivery capacity is inadequate.
 - Water demand is projected to approach the limit of TRWD’s permitted supply.
 - Water supply source becomes contaminated.
 - Water supply system is unable to deliver water due to the failure or damage of major water system components.
 - The TRWD General Manager, with the concurrence of the TRWD Board of Directors, finds that conditions warrant the declaration of a Stage 2 drought.

Terminating Conditions for Stage 2, Water Warning

Stage 2 will be terminated when TRWD reservoirs exceeds 75% of conservation storage or remains at or above 70% for 30 consecutive days whichever occurs first or when the local circumstances that caused the initiation of Stage 2 no longer exist.

Goal for Use Reduction: The goal for water use reduction under Stage 2, Water Warning, is to decrease use by ten percent. If circumstances warrant or if required by TRWD, the General Manager or his/her official designee can set a goal for greater water use reduction.

Actions Available under Stage 2, Water Warning

The General Manager and/or his designee may order the implementation of any of the actions listed below, as deemed necessary. ECCFWSD must notify TCEQ within five business days if any mandatory measures are implemented.

All Water Users

- Continue actions under Stage 1.
 - Due to the variation in water storage and delivery systems of TRWD customers, specific watering days per address may vary across TRWD's service area. Maximum of once per week watering for hose-end sprinklers and automatic irrigation systems based on odd/even addresses and day of week schedule may be initiated.

Exceptions:

- Watering with a handheld hose, soaker hose or drip irrigation may occur any day and any time.
- Variances may be available through the water utility department for the following:
 - All users are encouraged to wait until the current drought or emergency situation has passed before establishing new landscaping. Variances granted for establishing new turf grass or landscaping will be for a maximum of 30 days from the date of approval then maximum of once-per-week watering schedule applies.
 - Variances do not apply to the installation of cool season grasses (over seeding).
 - Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Water Utilities Director, if the Water Utilities Director determines that a property cannot be completely irrigated with an average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be irrigated on different days. If approved, no station will be watered more than once per week.
 - Restrictions do not apply to well water, reclaimed water, or other alternative water sources.
- Encourage the use of covers for all types of pools, hot tubs, and Jacuzzi type pools when not in use.

City and Local Governments

In addition to actions listed above:

- Continue or initiate any actions available under Stage 1.
- Review conditions or problems that caused Stage 2. Take corrective action.
- Increase frequency of media releases on water supply conditions.
- Further accelerate public education efforts on ways to reduce water use.

- Landscape watering of municipal parks, golf courses, and sports fields is limited to once every seven days; or once every seven days per irrigation station if a variance is granted by the General Manager. (See Stage 1 exceptions to outdoor watering restrictions in all water users category for rules that apply to facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes as needed to keep them alive, however watering must be done before 10 a.m. and after 6 p.m. Fairways are restricted to once per week watering as outlined above. Golf course rough cannot be watered. Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Encouraged to reduce water use by ten percent.
- Eliminate non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Landscape watering of parks, golf courses, and sports fields is limited to once every seven days; or once every seven days per irrigation station if a variance is granted by the General Manager. (See Stage 1 exceptions to outdoor watering restrictions in all water users category for rules that apply to facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes as needed to keep them alive, however watering must be done before 10 a.m. and after 6 p.m. Fairways are restricted to once per week watering as outlined above. Golf course rough cannot be watered.
 - Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Encouraged to reduce water use by ten percent.
- Use of water from hydrants for any purpose other than firefighting related activities, or other activities necessary to maintain public health, safety and welfare, requires a variance issued by the Water Utilities Director. Fire hydrant use may be limited to only designated hydrants. Upon declaration of this drought stage, all holders or applicants of a Water Fire Hydrant Meter Agreement are required to apply for a variance as set forth in this plan. If conditions allow, as determined by the Water Utilities Director, the use of water from hydrants may continue until the Water Utilities Director or his/her official designee issues a determination on the petition for variance. If conditions do not allow, the Water Utilities Director may require all fire hydrant meters to be immediately returned from the field, pending determination of each petition for variance.

Stage 3, Water Emergency

Triggering Conditions

- ECCFWSD water demand exceeds 95% of reliable delivery capacity for one day. The delivery capacity could be system wide or in a specified portion of the system.
- ECCFWSD demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- ECCFWSD water treatment or distribution system becomes contaminated.
- ECCFWSD water supply system is unable to deliver water due to the failure or damage of major water system components, or due to other criteria, such as energy shortages or outages.
- The TRWD has initiated Stage 3, Water Emergency, which may be initiated by one or more of the following:
 - Total raw water supply in TRWD western and eastern division reservoirs drops below 45% (55% depleted) of conservation storage.
 - Water demand for all or part of the TRWD delivery system exceeds delivery capacity because delivery capacity is inadequate.
 - Water demand is projected to approach or exceed the limit of TRWD's permitted supply.
 - Water supply source becomes contaminated.
 - Water supply system is unable to deliver water due to the failure or damage of major water system components.
 - The TRWD General Manager, with the concurrence of the TRWD Board of Directors, finds that conditions warrant the declaration of a Stage 3 drought.

Stage 3, Water Emergency, will be terminated when TRWD reservoirs exceeds 60% of conservation storage or remains at or above 55% for 30 consecutive days, whichever occurs first or when local circumstances causing the initiation of Stage 3 no longer exist

Goal for Use Reduction: The goal for water use reduction under Stage 3, Water Emergency, is to decrease use by 20 percent. If circumstances warrant, the General Manager, or his/her designee can set a goal for greater water use reduction.

Water Use reduction Actions under Stage 3, Water Emergency

The General Manager and/or his designee may order the implementation of any of the actions listed below, as deemed necessary. ECCFWSD must notify TCEQ within five business days if any mandatory measures are implemented.

- Continue actions available under Stages 1 and 2.

Require customers (including indirect customers) to initiate Stage 3 in their drought contingency plans. Indirect customers include any wholesale customer of TRWD's primary wholesale customers to the extent provided for in water sales contracts.

All Water Users

- Prohibit all outdoor watering.

Exceptions:

- Watering with hand-held hose, soaker hose or drip irrigation system may occur any day and any time. (The intent of this measure is to allow for the protection of structural foundations, trees, and other high value landscape materials).
- Restrictions do not apply to well water, reclaimed water, or other alternative water sources.
- Irrigation of new landscapes and/or turf grass installations is prohibited by means of automatic irrigation system or hose-end sprinkler. Variances may be granted for those landscape projects started prior to the initiation of stage 3 drought restrictions. However, variances will not be granted for the irrigation of new landscape and/or turf grass installations after the initiation of Stage 3 drought restrictions.
- Prohibit washing of paved areas by any means except where a variance is granted to alleviate a possible public health and safety risk. Any power washing activities must be performed by a professional power washing service utilizing high efficiency equipment and a vacuum recovery system where possible.
- Prohibit hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting with high-pressure equipment. Must be performed by a professional power washing service utilizing high efficiency equipment and a vacuum recovery system where possible.
- Vehicle washing is restricted to commercial car washes, commercial service stations, or professional washing services only. This includes home and charity car washing. The washing of garbage trucks and vehicles used to transport food and/or other perishables may take place as necessary for health, sanitation, or public safety reasons.
- Prohibit permitting of private pools. Pools already permitted may be completed and filled. Existing private and public pools may add water to maintain pool levels, but may not be drained and refilled.
- Prohibit the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life or water quality.

- No applications for new, additional, expanded or increase-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be allowed or approved.

City and Local Governments

In addition to actions listed above:

- Continue or initiate any actions available under Stages 1 and 2.
- Review conditions or problems that caused Stage 3. Take corrective action.
- Implement viable alternative water supply strategies.
- Increase frequency of media releases explaining emergency situation.
- Landscape watering at municipal parks, golf courses, and sports fields is prohibited. Variances may be granted by the water provider under special circumstances.
- Prohibit the permitting of new swimming pools, Jacuzzi type pools, spas, ornamental ponds and fountain construction. Pools already permitted and under construction may be completely filled with water.

Exceptions

- Golf course greens may be watered by hand-held hose as necessary. .
- Institute a mandated reduction in deliveries to all customers. Such a reduction will be distributed as required by Texas Water Code §11.039.
- If TRWD has imposed a reduction in water available to customers, impose the same percent reduction on wholesale customers.
- Emergency inner-connections between viable public water enmities will be implemented when possible.
- Public notification by news media, radio, mailings and other electronics means available will be implemented to advise customers of target location sites should the disbursement of alternate drinking water in containers become necessary.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users. Landscape watering at parks, golf courses, and sports fields is prohibited. .

Exceptions

- Golf course greens may be watered by hand as needed to keep them alive, however watering must be done before 10 a.m. and after 6 p.m.
- Professional sports fields (playing fields with a stadium only – not surrounding landscaping) may be watered as needed to maintain league standards.

- Hotels, restaurants, and bars required to serve drinking water to patrons on an “on demand” basis.
- Hotels are required to implement laundry conservation measures by encouraging patrons to reuse linens and towels.
- Stock at commercial plant nursery may be watered only with a hand-held hose, hand-held watering can, or drip irrigation system.
- Commercial water users required to reduce water use by a set percentage determined by the General Manager.

Section X: Water Restriction through Rates and/or Allocation

In the event that the triggering criteria specified in the Section XII warrants action the General Manager or his/her designee is hereby authorized to initiate the following water rate structure until the severe condition/s no longer exists as a threat to public health, welfare and safety. **All water and sewer monthly minimums and sewer rates will not be affected.**

Customer Definition	Cost per 1,000 gallons for 0 to 3,000 gal.	Cost per 1,000 gallons for 3,001 to 10,000 gal.	Cost per 1,000 gallons for over 10,000 gal.
Residential	\$4.51	\$8.19	\$10.00
Non-Residential	\$4.51	\$8.19	\$10.00

Non-Residential: Commercial, Multi-Family, RV Parks, Industry and Retail Customers

Section XI: Water Rationing

If water shortages worsen, all Residential Customers will be limited to 3,000 gallons per month and any water usage thereafter will be charged at \$10.00 per thousand gallons. All Commercial Customers will be evaluated on a case by case basis. **Both Residential and Commercial Customers will be notified of the set monthly allocations the month prior to implementation. See Section XII: Enforcement and Penalties**

Section XII: Enforcement and Penalties

- (a) No person/customer shall knowingly or intentionally allow the use of water from the East Cedar Creek Fresh Water Supply District 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 General Manager, or his/her 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 (\$50.00) and not more than TWO HUNDRED dollars (\$200.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person/customer is convicted of three or more distinct violations of this Plan, the General Manager or his/her designee 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 \$100.00, and

any other costs incurred by the East Cedar Creek Fresh Water Supply District in discontinuing service. In addition, suitable assurance must be given to the General Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

- (c) Any person/customer, including a person classified as a water customer of the East Cedar Creek Fresh Water Supply District, 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 that the person in apparent control of the property committed the violation, but any such person/customer shall have the right to show that he/she did not commit the violation.
- (d) Any employee of the East Cedar Creek Fresh Water Supply District or police officer may issue a citation to a person/customer 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, offense charged and notice that if any penalty fees charged for the violation occurrence are not paid within 15-days proceedings will be filed with the Justice of the Peace Court for a court date regarding the violation. If the alleged violator fails to appear in Justice of the Peace Court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant

Section XIII: Variances

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

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

Persons/customer requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the East Cedar Creek Fresh Water Supply District after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the General Manager, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this 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.

Variances granted by the East Cedar Creek Fresh Water Supply District shall be subject to the following conditions, unless waived or modified by the General Manager or his/her designee:

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

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

Section XIV: Severability

It is hereby declared to be the intention of the East Cedar Creek Fresh Water Supply District that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan.