

ORDINANCE NO. 15-1141

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY PLEASANTON, TEXAS, REPEALING AND REPLACING TITLE 5, CHAPTER 51 OF THE CITY OF PLEASANTON CODE OF ORDINANCES, ADOPTING A WATER CONSERVATION & DROUGHT CONTINGENCY PLAN; ESTABLISHING DATA, INFORMATION, AND POLICY FOR WATER CONSERVATION PROGRAMS; CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Pleasanton, Texas recognizes that the amount of water available to the City and its water utility customers is limited and subject to depletion during periods of extended drought; and

WHEREAS, Section 13.146 of the Texas Water Code and applicable rules of the Texas Water Development Board require a retail public utility that provides potable water service to 3,300 or more connections to submit to the executive administrator of the board a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices as defined by Section 11.002, which defines "conservation" as those practices, techniques, and technologies that will 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 water supply is made available for future or alternative uses; and

WHEREAS, the City recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the citizens of Pleasanton, Texas, the City Council deems it expedient and necessary to establish certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

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

SECTION 1.

That the City of Pleasanton, Texas Water Conservation & Drought Contingency Plan 2015 attached hereto 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.

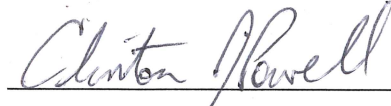
Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid,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

SECTION 4.

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

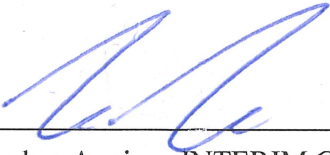
PASSED, ADOPTED and APPROVED THIS 16th day of April, 2015

APPROVED:

A handwritten signature in blue ink, appearing to read "Clinton Powell", written over a horizontal line.

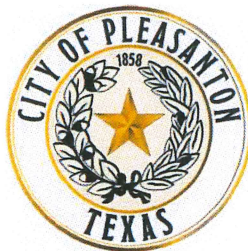
Clinton J. Powell, MAYOR

ATTESTED:

A handwritten signature in blue ink, appearing to read "A. Aguirre", written over a horizontal line.

Andres Aguirre, INTERIM CITY SECRETARY

PLEASANTON



TEXAS

WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN 2015

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PWS# 0070003

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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, 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 Pleasanton hereby adopts the following practices, regulations, and restrictions on the delivery, use, and consumption of water by City Ordinance.

Water uses regulated or prohibited under this Water Conservation and Drought Contingency Plan are considered to be wasteful, non-essential, or discretionary. Uses of water considered wasteful or violations of restricted uses during times of water shortage or other emergency water supply conditions subjects the offender(s) to penalties as defined in the Implementation and Enforcement section of this Plan.

AUTHORIZATION

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

APPLICATION

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

OVERVIEW

HISTORY

Situated at the juncture of the Atascosa River and Bonita Creek, Pleasanton was founded in 1858 and named the county seat of Atascosa County. It was established because the former county seat at Amphion moved due to conflicts with the Indians. The settlers chose the current town site because of its location at the mouth of Bonita Creek. John Bowen San Antonio's first Anglo-American postmaster, founded and named the town of Pleasanton after his good friend and fellow early Texas Settler John Pleasants. Also known as the "Birthplace of the Cowboy", Pleasanton had a growing population of cowboys around the 19th century primarily to ward off attacks from the Indians. The county seat was moved from Pleasanton to Jourdanton in 1910. Pleasanton was incorporated in 1917.

GEOGRAPHY

Pleasanton is located in the Nueces River Basin within eight square miles of Atascosa County. The City is located with the geographical boundaries of the Region L Regional Water Planning Group, Evergreen Underground Water Conservation District, and TCEQ Region 13.

CLIMATE

An average annual rainfall for Pleasanton is 33.2 inches with the month of June typically having the most rainfall (4.4 inches). The City averages 76 days with rainfall each year. Monthly temperature averages range from 53.4°F in January and December to 86.1°F in August. On average, there are 147 days per year where the temperature exceeds 90°F and 19 days where the temperature falls below 32°F.

WATER RESOURCES

The City of Pleasanton obtains 100% of its water from nine groundwater wells in the Carrizo-Wilcox and Queen City aquifers.

INTRODUCTION

OBJECTIVE

The objective of Pleasanton's Water Conservation and Drought Contingency Plan is to increase efficiency of water use and reduce water demands without adversely affecting the population and economic growth of the City. The fundamental strategy for this Plan is to promote and publicize water conservation activities and drought management strategies in order to meet our water conservation goals and respond appropriately to water supply concerns or emergencies.

The City of Pleasanton recognizes that the amount of water available to the City and its water utility customers may be limited and subject to depletion during periods of extended drought. Representing the best interests of the citizens of Pleasanton, Texas, the City deems it expedient and necessary to establish and maintain certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

STATUTORY AND RULE REQUIREMENTS

Texas Water Code §13.146. WATER CONSERVATION PLAN. The commission shall require a retail public utility that provides potable water service to 3,300 or more connections to submit to the executive administrator of the board a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices, as defined by Section 11.002, or other water conservation strategies.

Title 30 Texas Administrative Code, Chapter 288.30(10)(A). Water conservation plans for retail public water suppliers. For retail public water suppliers providing water service to 3,300 or more connections, a water conservation plan meeting the minimum requirements of Subchapter A of this chapter and using appropriate best management practices must be developed, implemented, and submitted to the executive administrator of the Texas Water Development Board not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

Texas Water Code §11.1272. ADDITIONAL REQUIREMENT: DROUGHT CONTINGENCY PLANS FOR CERTAIN APPLICANTS AND WATER RIGHT HOLDERS. (a) The commission shall by rule require wholesale and retail public water suppliers and irrigation districts to develop drought contingency plans consistent with the appropriate approved regional water plan to be implemented during periods of water shortages and drought.

Title 30 Texas Administrative Code, Chapter 288.30(5)(A). For retail public water suppliers providing water service to 3,300 or more connections, the drought contingency plan must be submitted to the executive director not later than May 1, 2005. Thereafter, the retail public water suppliers providing water service to 3,300 or more connections shall submit the next revision of the plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

REPORTING REQUIREMENTS

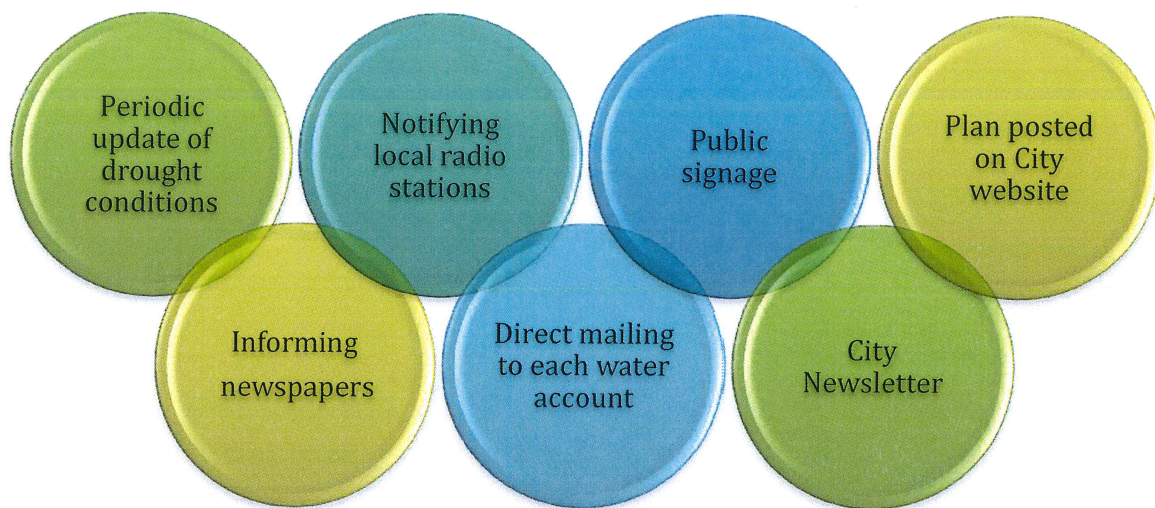
The Texas Water Development Board (TWDB) requires that the City submit a Water Conservation Plan every five years to coincide with the Regional Water Planning Cycle. The TWDB also requires that the City submit the following information annually:

1. Water Loss Audit, May 1
2. Annual Report, May 1
3. Water Use Survey, March 1

The Texas Commission on Environmental Quality (TCEQ) requires that the City submit a Drought Contingency Plan every five years to coincide with the Regional Water Planning Cycle.

PUBLIC EDUCATION AND INFORMATION

The City will periodically provide the public with information about this Plan, including information, and/or notification, about ongoing water conservation efforts, the conditions under which each drought stage would be initiated or terminated, and the drought response measures to be implemented in each stage. This information will be provided by means of press releases, radio announcements, local television public announcements, utility bill notices, and other public activities.



WATER WASTE AND NON-ESSENTIAL USES

WATER WASTE

It shall be unlawful at any time of the year for any person, firm, corporation, business or other entity to:

- Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet.
- Operating a permanently installed irrigation system with a broken head, a head that is out of adjustment, or a head that is misting due to high water pressure.
- Operating an automated in-ground irrigation system or hose-end sprinkler on any day of the week between 10:00 a.m. and 8:00 p.m.
- Irrigation or landscape watering during any form of precipitation.
- Allowing water to run off a property and form a stream of water in a street for a distance of fifty (50) feet or greater.
- Allowing water to pond in a street or parking lot to a depth of greater than one quarter ($\frac{1}{4}$) of an inch.

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

NON-ESSENTIAL/DISCRETIONARY USES OF WATER

The following uses of water are considered non-essential, or discretionary uses of water:

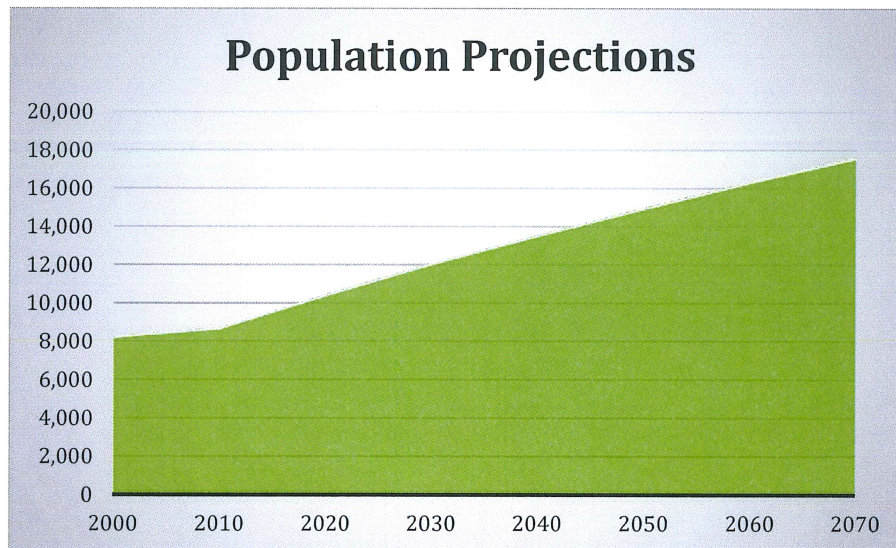
- Irrigation of landscape areas, including parks, athletic fields and golf courses.
- Use of water to wash any motor vehicle, boat, trailer, airplane, or other vehicle.
- Use of water to wash down any sidewalks, walkways, driveways, parking lots, athletic courts, or other hard surfaced areas.
- Use of water to wash down buildings or other 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 swimming pools or Jacuzzi type pools.
- Use of water in an outside fountain or pond for aesthetic or scenic purposes, except where necessary to support aquatic life.

UTILITY PROFILE

Data is managed by utility staff on a daily basis and organized to be able to track water production and deliveries to the highest practicable levels.

POPULATION

The population of the City has increased steadily throughout its history. The approved 2016 TWDB and Region L population projections, shown below, predict that the City will have over 17,000 residents by 2070.



WATER SYSTEM

The City currently serves 4,218 connections. The City currently has 3 elevated storage tanks of 250,000, 250,000, and 100,000 gallons for a combined total of 600,000 gallons. In anticipation of the development of several new subdivisions, the City is in the planning stage for adding an additional 1.25 million gallons of elevated storage that will bring the total capacity to 1.85 million gallons.

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

WASTEWATER SYSTEM

The City owns approximately 90 miles of collection system, 5 lift stations, and one wastewater treatment plant. The wastewater plant facility (Atascosa River Facility, WQ0010598001) is located approximately 0.4 miles southeast of the intersection of US Highway 281 and the Missouri Pacific Railroad and 0.5 miles east of the intersection of State Highway 97 and US Highway 281. Treated effluent is discharged from Outfall 001 via an 18 inch pipe into the Atascosa River in Segment No. 2107 of the Nueces River Basin. Designated uses for this segment are high aquatic life uses, public water supply, and contact recreation. The plant has an average flow of 0.734 million gallons per day (MGD) and a 2-hour peak flow of 1,219 gallons per minute (GPM). The permitted maximum daily flow is 1.42 MGD and the maximum 2-hour peak flow is 2,958 GPM.

WATER SUPPLY

The City of Pleasanton obtains 100% of its water from groundwater. The City currently operates 9 wells. A new well with a production of 1.512 MGD is under construction that will bring the total combined production capacity to 11.29 MGD.

WATER DEMANDS

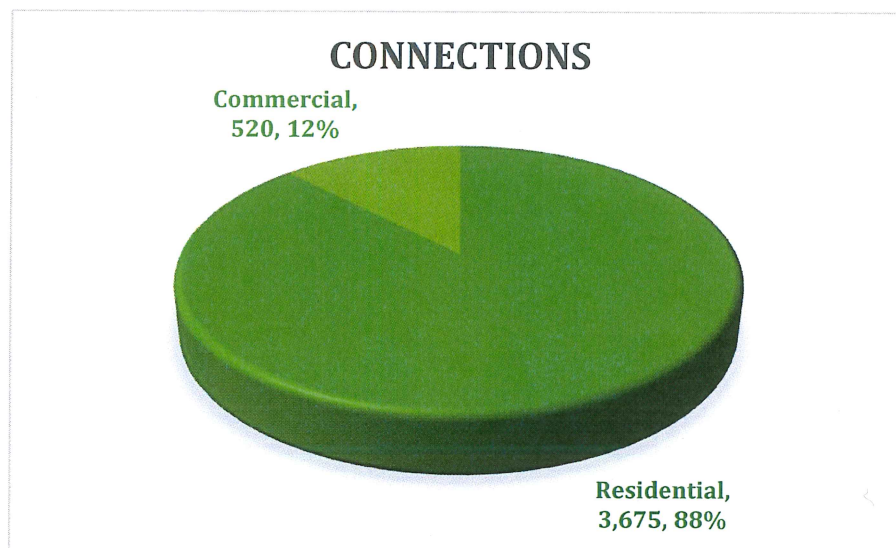
The City has averages 675 million gallons (2,070 acre-feet) of water use annually.

WATER USE SECTORS

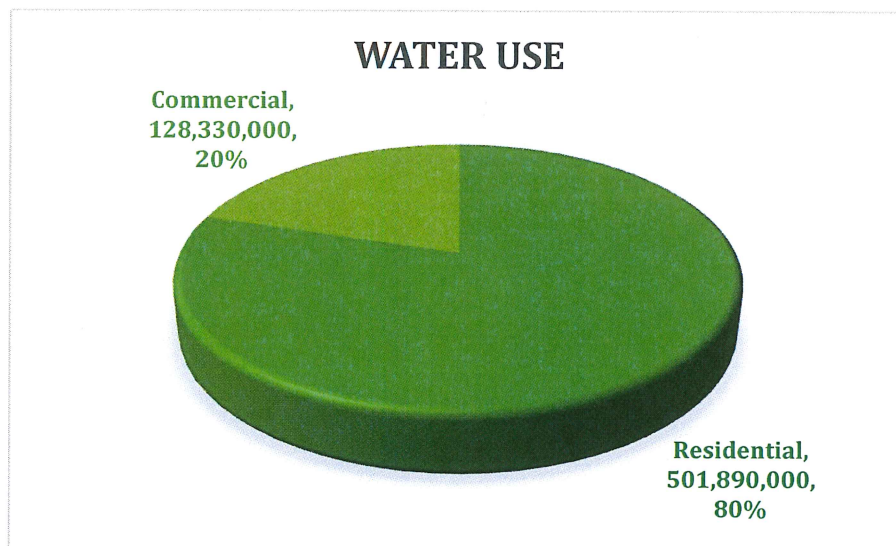
The distribution of retail connections within Pleasanton is distributed between residential and commercial sectors. 88% of connections are for residential use and 12% are for commercial use while 80% of water use is for residential and 20% is for commercial.

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

Retail connections for each sector are shown below.



Water use (gallons) for each sector is shown below.



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

PER CAPITA WATER USE

Per capita water use is generally expressed in gallons per customer per day (GPCD) and is the average amount of water used by each person in the population served by a water utility. Variables that can influence GPCD include the relative amount of non-residential water uses, the rate and type of growth, economics, climatic conditions, and demographics. Residential GPCD is a superior metric for understanding how much water each resident is actually using and does not include commercial and industrial uses. Currently, the City's Total GPCD is 168 and the Residential GPCD is 125.

PER CAPITA WATER USE GOALS

The City of Pleasanton's per capita water conservation goals for the next 10 years are based upon the Texas Water Conservation Implementation Task Force's recommendation of a reduction in per capita water use by 1% per year. Per capita usage goals are shown below.



SCHEDULE AND TRACKING

The City Public Works Director will act as the Administrator of the water conservation program. The Administrator will oversee the execution and implementation of all elements of the program. The Administrator is responsible for maintaining adequate records for program verification.

The Administrator will monitor the progress of the Water Conservation Plan, using information from water utility records and staff. Additionally, the Administrator will be responsible for submission of an annual report to the TWDB on the progress, and any changes to, the Water Conservation Plan.

UNIVERSAL METERING AND RECORDS MANAGEMENT

The City employs metering devices on all source water connections capable of measuring the amount of water to within plus or minus 5%. The City requires all retail connections to be metered. All water metered and billed is recorded using the City's billing software.

METER TESTING, REPAIR, AND REPLACEMENT

The City's meter testing, repair, and replacement program:

- Master meters are tested and calibrated periodically to within an accuracy of plus or minus 5%.
- All retail meters are tested and calibrated or replaced as necessary.
- Meters that have abnormally high or low water usage are changed out as they are identified.

LEAK DETECTION, REPAIR, AND WATER LOSS CONTROL

Pleasanton operates and maintains the water transmission system within the City. In order to maintain water delivery service and to reduce and control unaccounted for water, Pleasanton staff routinely visually inspect the distribution system to identify abnormal conditions indicating leaks. The staff is equipped to respond and repair equipment and pipeline breaks or employ contract assistance as required. As a result of these measures, water loss has been maintained at close to 12%. The City's goals for water loss for the next 5 and 10 years is to maintain less than 15% water loss.

The City has a continuous leak detection, location, and repair program. Monthly audits of consumption and production volumes are utilized to determine trends for water loss and more immediate action steps to locate water leaks. Continuous surveillance by meter readers and City servicemen provide immediate response to water leaks.

WATER RATE STRUCTURE

Pleasanton has an inclining block rate structure for water service that is cost based and encourages water conservation.

PLUMBING FIXTURES

The State of Texas has recently adopted more stringent water saving performance measures for plumbing fixtures, found in the Health & Safety Code Chapter 372. The following maximum flow standards are subsequently listed in the Texas Administrative Code Title 30 Chapter 290 Subchapter G:

				
Faucet 2.2 gpm	Shower head 2.5 gpm	Toilet 1.28 gpf	Urinal 0.5 gpf	Pre-rinse spray valve 1.6 gpm

Customers in existing buildings that do not have water saving plumbing fixtures are encouraged to retrofit their old plumbing fixtures. New construction, including remodeling of existing structures, must comply with City and State plumbing fixture standards. There are a wide assortment of water efficient fixtures, clothes and dish washers that provide the same performance, but use less water. A water efficient home can save more than 20% of annual indoor water use.

WATER-CONSERVING LANDSCAPING

Water-conserving landscaping is a development concept that encourages residents to adopt low- water- using landscaping principles and methods for use around the home. The same concepts can be applied to other landscaped areas as well, including parks and other public places.

A popular method of reducing water use for landscape irrigation is to encourage residents to use the following techniques for landscaping. The following are generally accepted principles when planning a water efficient yard:

- Planning and design. During this step an appropriate plan is developed considering such variables as climate, existing vegetation, intended use of the space, and topographic features.
- Soil analysis. Examine the soil types covering the whole site.
- Appropriate plant selection. Plants should be selected which are native to the area or are adaptive to the site.
- Practical turf areas. Plan where turf areas should be located and consider increasing the area of decks, porous paving, paths, and mulched planting beds to reduce turf.
- Efficient irrigation. Landscaped areas should only be watered as needed and then usually during the early morning or late evening to avoid water lost due to evaporation, keeping in mind some plant species may experience mold and/or fungus growth if watered at night.
- Use of mulches. A three- to four-inch layer of mulch should cover all exposed soil areas and be replenished twice a year.
- Appropriate maintenance. Keep the yard well maintained to reduce the use of fertilizer, chemicals, and water.

CUSTOMER SERVICE INSPECTIONS

A customer service inspection certification as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, § 290.46, shall be completed prior to providing continuous water service to new construction or any existing service when the City has reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any material improvement, correction, or addition to the private plumbing facilities. The existence of a serious threat to the integrity of the public water supply shall be considered sufficient grounds for immediate termination of water service.

BACKFLOW ASSEMBLY TESTING AND INSTALLATION

All backflow prevention assemblies shall be tested upon installation by a recognized backflow assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against high health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention device tester.

Backflow assembly testing and installation shall be completed as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, § 290.44h.

It shall be the duty of the customer at any premise where backflow prevention assemblies are installed to have a certified inspection and operational tests conducted annually. In those instances where the City deems the hazard to be deleterious to human health, customer service inspection certifications may be required semiannually. Inspections and tests shall be at this expense of the customer or customer representative and shall be performed by a certified backflow technician.

Assemblies shall be repaired, overhauled, or replaced at the expense of the customer whenever said assemblies are found to be defective. Records of such tests, repairs, and

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

overhaul shall be kept and submitted to the City within five days of the test, repairs, or overhaul of each backflow prevention assembly.

No device or assembly shall be removed from use, relocated, or other device or assembly substituted without the approval of the City. Whenever the existing assembly is moved from the present location, requires more than minimum maintenance, or when the City finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention assembly complying with requirements of this section and the current adopted Plumbing Code of the City.

A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. The signed and dated original must be submitted to the City, Community Development Division, within five days of test.

A recognized backflow prevention assembly tester must have completed a Texas Commission on Environmental Quality (TCEQ) approved course on cross connection control and backflow prevention and pass an examination administered by the TCEQ or its designated agent.

ADDITIONAL WATER CONSERVATION STRATEGIES

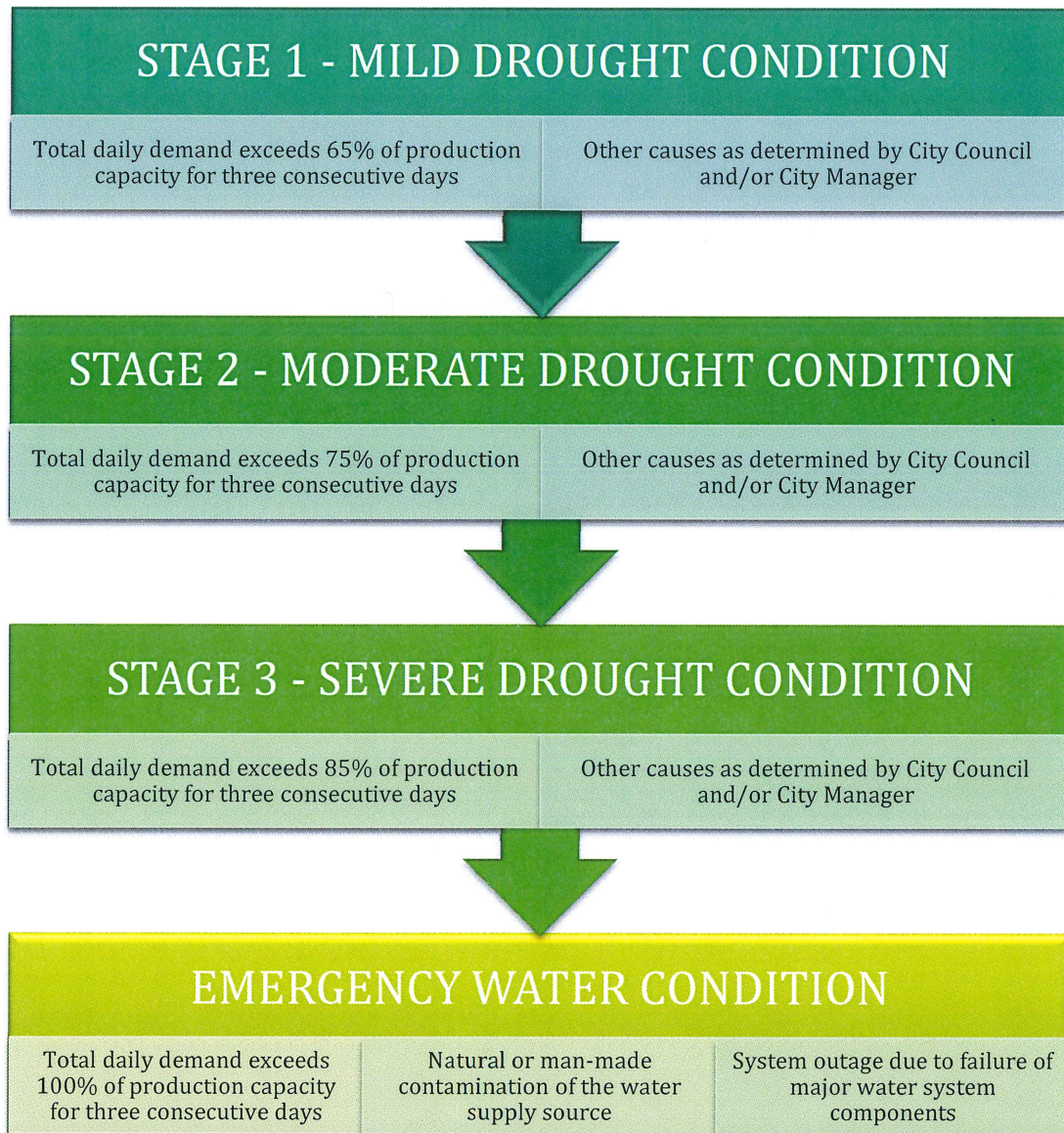
The City will select any combination of the following strategies, in addition to those strategies listed above, if they are necessary to achieve the stated water conservation goals of this Water Conservation Plan. The TCEQ may also require that any of the following strategies be implemented by the City if the TCEQ determines that the strategy is necessary to achieve the goals of this Water Conservation Plan. The additional strategies that may be implemented are:

- Revision of water rates to promote increased water conservation.
- Additional programs to encourage the retrofit of water-conserving plumbing fixtures in existing structures.
- A program for pressure control and/or reduction in the distribution system and/or for customer connections.
- Any other conservation practice, method, or technique which the City shows to be appropriate to achieving the stated goal or goals of this Water Conservation Plan.

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

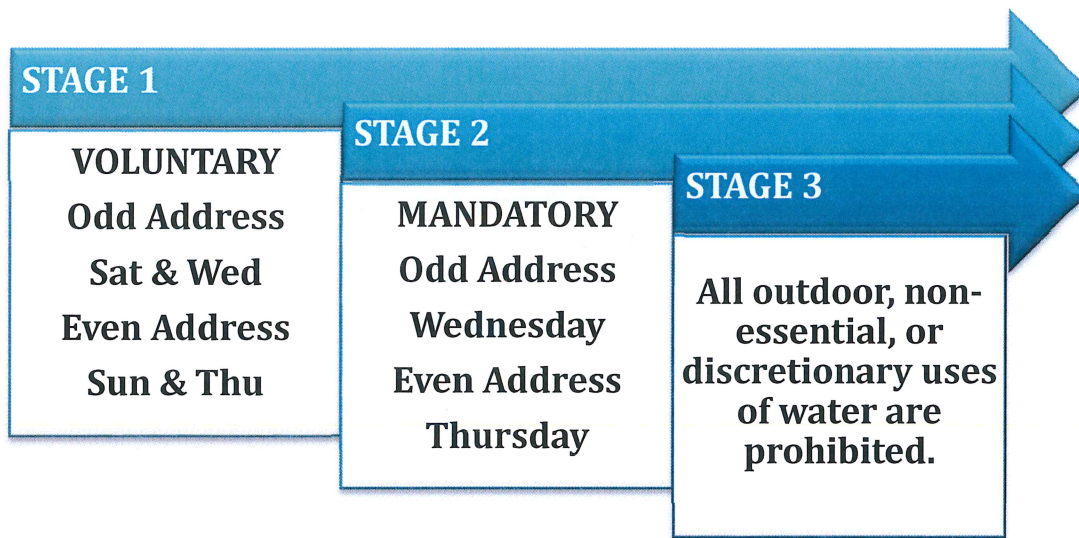
DROUGHT TRIGGERS

The Mayor, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan.



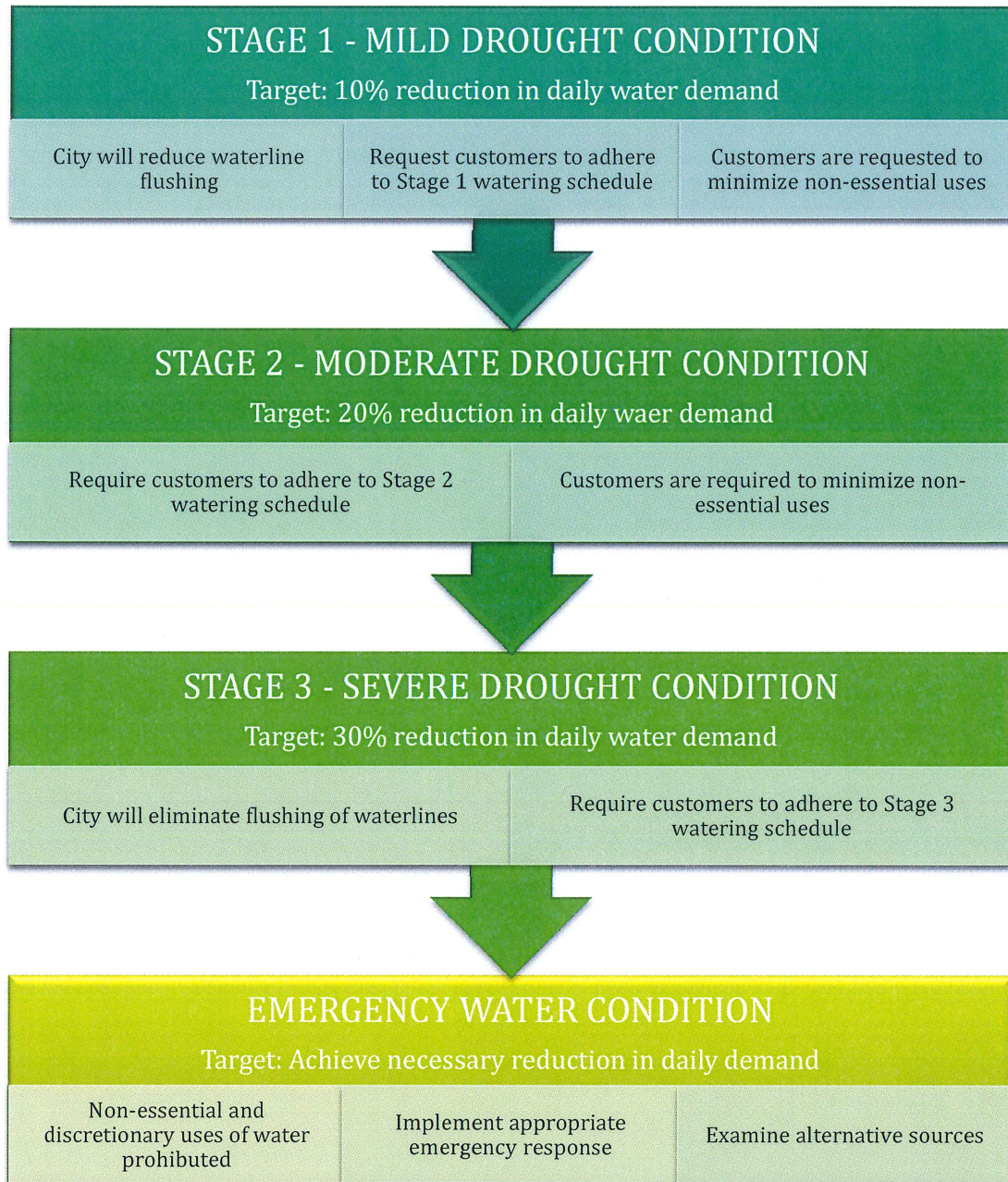
WATERING SCHEDULE

The City of Pleasanton watering schedule is shown below. During the mandatory stages of this plan, watering with irrigation system or hose-end sprinklers is prohibited between the hours of 10:00AM and 8:00PM. Landscape watering is permitted at any time or day with a bucket or watering can.



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

RESPONSE STAGES



EMERGENCY RESPONSES

In the event of an identified water shortage declaration, the City will distribute water to wholesale customers according to Texas Water Code, §11.039* and initiate water allocation to municipal water customers.

In the event of a contamination event, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified immediately. In the event of a backflow incident, loss of pressure, or an Acute Maximum Contaminant Level coliform violation, a Boil Water Notice will be implemented as prescribed in 30 TAC Chapter 290.

In the event of a catastrophic failure due to natural or man-made events, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified.

In the event of an emergency loss of water supply, the City will consider purchases of water by the truckload or in bottles for the health and public safety of the City's residents.

VARIANCES

The City 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:

1. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
2. Alternative methods can be implemented 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 Pleasanton within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by City Manager or his/her designee, and shall include the following:

1. Name and address of the petitioner(s).
2. Purpose of water use.
3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
4. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
5. Description of the relief requested.
6. Period of time for which the variance is sought.
7. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
8. Other pertinent information.

WHOLESALE CONTRACTS

The City of Pleasanton does not have any wholesale customers at this time.

The City of Pleasanton will include a requirement in every water supply contract entered into after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with applicable provisions of Title 30 Texas Administrative Code, Chapter 288.

The City of Pleasanton will include a provision in every wholesale water contract entered into after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

ENFORCEMENT

Whoever violates any provision of this chapter for which another penalty is not specifically provided, shall be punished as set forth by City Ordinance.

- (1) No person shall knowingly or intentionally allow the use of water from the City 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 the City Manager, in accordance with provisions of this Plan.
- (2) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of up to \$2,000. Each day that one or more of the provisions is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of these sections, the City Manager 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 reconnection charge and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City that the same action shall not be repeated while the Drought Contingency Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.
- (3) Any person, including a person classified as a water customer of the City, 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.

COORDINATION WITH REGIONAL WATER PLANNING GROUP

The service area of the City of Pleasanton is located within the Region L Regional Water Planning Group and the City will provide a copy of this Plan to the Planning Group.



DEFINITIONS, ABBREVIATIONS, AND ACRONYMS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

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 which is integral to the operations of commercial and nonprofit establishments and governmental entities such as retail establishments, hotels, 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 City.

DISCRETIONARY USE. See Non-essential water use.

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.

DROUGHT CONTINGENCY PLAN. A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

GPCD. Gallons of water used per person per day.

GPF. Gallons per flush.

GPM. Gallons per minute.

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

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, athletic fields, parks and rights-of-way and medians.

NON-ESSENTIAL WATER USE. Water uses that are not essential nor required for the protection of public health, safety and welfare.

REGION L. Region L Regional Water Planning Group.

TCEQ. Texas Commission on Environmental Quality.

TWDB. Texas Water Development Board.

WATER CONSERVATION PLAN. A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water.

ORDINANCE