

**RESOLUTION NO. 20050428-012**

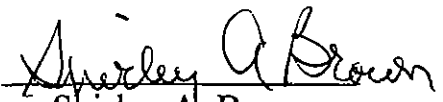
**WHEREAS**, by Resolution No. 990826-66 the City Council adopted a Drought Contingency Plan; and

**WHEREAS**, the City's Drought Contingency Plan has been updated;  
**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council repeals Resolution No. 990826-66 and adopts the attached Drought Contingency Plan for the City of Austin.

**ADOPTED:** April 28, 2005

**ATTEST:**   
Shirley A. Brown  
City Clerk



**City of Austin**

# **Drought Contingency Plan**

May 2005

***Developed to Meet Requirements  
Outlined in 30 TAC § 288.20***

Water Conservation Division  
Austin Water Utility

City of Austin, Texas

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# **DROUGHT CONTINGENCY PLAN**

**City of Austin, Texas  
May, 2005**

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## **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 emergency water supply conditions, the City of Austin (the "City") establishes the Drought Contingency Plan (the "Plan").

The Plan specifies how the City will respond to and manage the water system during system capacity and distribution limitations. In addition, the Plan also specifies how the City will respond to and manage the water system during a repetition of the critical drought of record. The City will coordinate with the Lower Colorado River Authority (LCRA) and the policies set forth in their Water Management Plan, if and when such a critical drought should occur. Both water supply and system capacity management actions are codified in the City of Austin's Municipal Code, Title IV Environmental Control/Conservation, Chapter 4-2 Water Conservation, Article II Emergency and Peak Day Water Use Management, last revised in April of 2001 (Appendix A). This Plan is designed to meet Section 11.1272 of the Texas Water Code and Chapter 288 of the Texas Administrative Code. These regulations require all Texas public water supply systems providing water service to 3,300 or more connections to prepare a drought contingency plan by May 1, 2005.

## **Section II: Background**

### ***(a) City of Austin Water Supply, Projected Demand, and Water Supply Contracts***

The City holds permitted municipal water rights granted by the State of Texas to divert a maximum of 293,703 acre-feet per year (AF/yr) from the Colorado River for municipal and industrial use. Through a contractual arrangement with the Lower Colorado River Authority (LCRA), 325,000 AF/yr of the City's water supply is made firm by stored water in the LCRA-managed Highland Lakes reservoirs. Figure 1 illustrates the amount of municipal water rights held by the City of Austin and the current demand for that water.

According to its Water Management Plan for the Lower Colorado Basin (1999), LCRA will ensure that there is no shortage of stored water for firm demands during a repeat of the Drought of Record (DOR). LCRA will not invoke mandatory curtailments of firm water demand unless it can be demonstrated that a particular drought event is more severe than the DOR or some other water emergency that drastically reduces the available firm water supply. LCRA has developed a procedure for identifying a drought worse than the DOR and routinely monitors the Highland Lakes watershed. If drought conditions are worse than the DOR, LCRA may impose mandatory restrictions on firm water rights. The City has adopted Water Use Management codes (Appendix A) authorizing the City to consider and implement emergency conservation measures if the City were required to curtail water use during a drought worse than the DOR.

The City's firm municipal water supply of 325,000 AF/yr (from Austin's water rights backed by storage by contract with LCRA) exceeds current demand levels (approximately 156,000 AF/yr). This firm supply is projected to meet demand through approximately 2040 based on current usage trends, including current levels of conservation and reuse. However, it is Austin Water Utility's goal to extend this quantity of firm water supply to be sufficient through 2050 (see Figure 1) by implementing a more aggressive conservation and water reuse program.

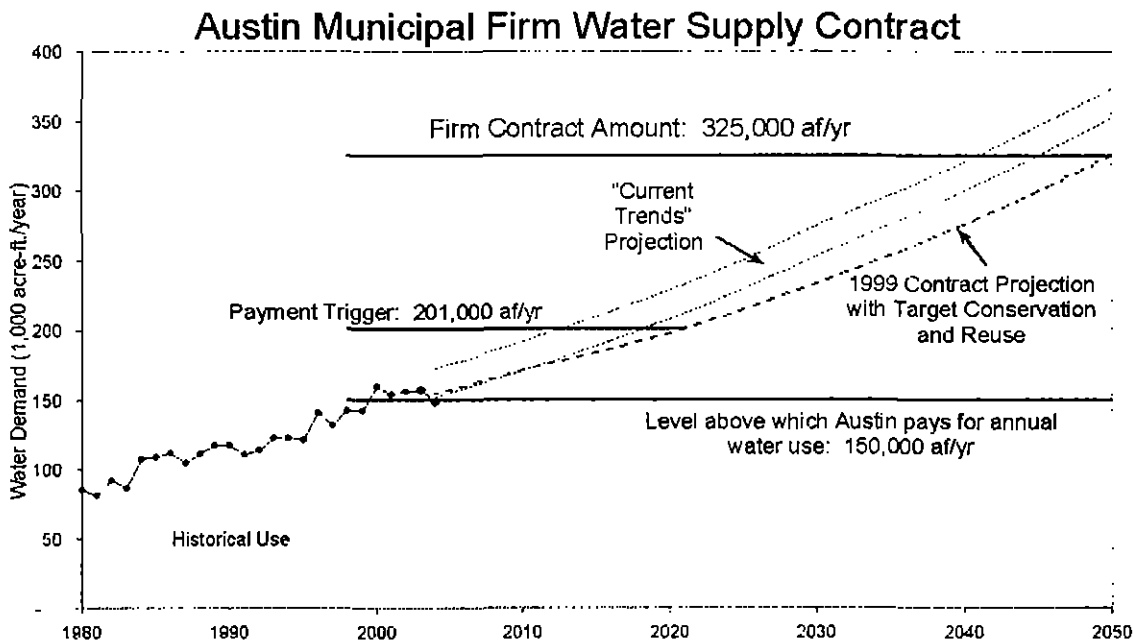


Figure 1. Water demand projection, City of Austin, Austin Water Utility, 2005

### (b) *Drought Conditions and Management Actions*

Because the majority of the City of Austin's water rights are backed by storage in LCRA reservoirs in firm supplies, the LCRA uses the storage level of the Highland Lakes reservoir as the indicator of possible severe, long-term drought conditions. The LCRA manages the Highland Lakes, including Lakes Travis and Buchanan, as one system, resulting in a maximum combined storage capacity of 2.1 million acre-feet per year. The drought of record for the area serviced by the Highland Lakes reservoirs, including the City of Austin, occurred during the years 1947-1956 when the combined water storage levels of Lakes Travis and Buchanan fell to 681,000 acre-feet (or 222 billion gallons).

In order to minimize the negative effects of periods of severe water shortages, the Emergency and Peak Day Water Use Management Ordinance outlines the City's stages for taking action during such periods caused by drought, water supply contamination, system outage due to failure or damage of water system, or other emergency conditions. If the available supply is less than the anticipated demand, the City will consider and implement additional emergency demand management measures, as outlined in Section 4-2 of City Code (Appendix A).

### **(c) Water System Limitations**

The Austin Water Utility currently serves approximately 188,000 connections with approximately 3,000 miles of water mains. In 2004, the Austin Water Utility served an approximate population of 735,000 and a wholesale customer population of 52,000, for a total service population of approximately 787,000. Water is drawn from the Colorado River into three water treatment plants (WTP) with a combined capacity to treat and distribute 260 million gallons per day (MGD). The next increment of capacity that will be added is an expansion at the Ullrich Water Treatment Plant, which will increase the plant's capacity to approximately 167 MGD in 2006. Table 1 has a summary of plant capacities. Austin Water Utility is currently conducting a planning assessment study of the Green WTP, the City's oldest water treatment plant, built in 1925. The study will examine various options for retiring and replacing the existing facility on the current or alternate sites.

AWU is currently concluding the planning phase for its next water treatment plant. The plan is for Water Treatment Plant #4 to have an initial capacity of 50 MGD to 75 MGD by the year 2011.

**Table 1. City of Austin Water Treatment Plants and Capacity**

<b>Plant Name</b>	<b>Year Constructed</b>	<b>Treatment Capacity (million gallons/day)</b>
Green	1925	42 <sup>a</sup>
Davis	1954	118 <sup>b</sup>
Ullrich	1969	100 <sup>c</sup>
<i>Total</i>		260

a) Modernized in 1935, 1938, 1949, 1985, and 1999.

b) Expanded in 1963, 1977, 1987, and 1999.

c) Modernized in 1993 to meet the higher standards of the Safe Drinking Water Act and expanded in 1987 and 2000. Currently being expanded to increase the capacity from 100 to 167 MGD, expected to be completed in 2005.

### **Section III: Trigger Conditions and Goals**

The Director of the Austin Water Utility monitors water supply, water system capacity and demand conditions to determine when conditions warrant initiation or termination of each Stage of the Plan. The Director sets water demand reduction guidelines that set forth the specific criteria for determining emergency triggers, based on maximum system capacity for that year. Trigger conditions will change as the utility expands its treatment capacity. The 2004-2005 trigger conditions are as follows:

**Stage I:**

- a. **Trigger** - Stage 1 of the Plan is in effect from May 1 through September 30 of each year.
- b. **Goal** – To keep water use from exceeding Stage 2 three-day trigger

**Stage II:**

- a. **Trigger** - Demand exceeds 247 million gallons per day (mgd) for three consecutive days or 251 mgd for one day.
- b. **Goal** – To reduce water use by 15 percent from the Stage 2 one-day trigger.

**Stage III:**

- a. **Trigger** - To be determined by the Director of the Austin Water Utility based on dynamic water supply conditions such as demand that exceeds Stage II conditions, equipment failure, contamination of a water source, etc.
- b. **Goal** – To reduce water use below the Stage 2 three-day trigger, with additional reductions as determined necessary by the Director of the Austin Water Utility in response to an extreme emergency.

**Section IV: Emergency and Peak Day Response Stages**

A complete copy of the Emergency and Peak Day Water Use Codes is attached in Appendix A. These guidelines are available for inspection at the Austin Water Utility administrative offices during normal business hours. These sections of the City Code contain:

- 1. General Provisions
  - a) Scope
  - b) Declaration of Policy
  - c) Implementation
  - d) Application
  - e) Definitions
- 2. Conservation Stages
  - a) Compliance
  - b) Year round management
  - c) Stage 1
  - d) Stage 2
  - e) Stage 3
- 3. Additional Restrictions
  - a) Director's authority to impose additional restrictions
  - b) Additional restrictions during long-term water supply shortage
- 4. **Enforcement**
  - a) Presumption of violation
  - b) Stage 2 & 3 implementation
  - c) **Variance**
  - d) Alternative compliance

- e) Expiration
- f) Penalty

## **Section V: Public Involvement**

The proposed Plan was developed with input from various public interest groups, Stakeholders, and customers, including the wholesale and large industrial customers, Austin Lawn Sprinklers Association, Austin Industry Association, Austin Tenant's Council, Southwest Car Wash Association (Local Chapter), City of Austin's Water Task Force, Texas Association of Nurseries, Texas Nursery and Landscape Association, and Xeriscape Advisory Board. Comments received from these groups were incorporated into the Plan. The Plan was also presented at two public meetings, including meetings of the Water and Wastewater Commission and the Resource Management Commission. Both Commissions passed resolutions supporting the Plan (Appendix D). On April 26, 2001, the Austin City Council passed revisions to the Emergency and Peak Day Water Use Management Codes (Appendix A) based on issues arising from implementation of the code in 2000.

## **Section VI: Wholesale Contract Provisions**

All new, renewed, or extended wholesale supply contracts entered into after official adoption of this plan shall include a provision that in case of a shortage of water resulting from a drought, the water to be distributed shall be divided on a pro rata basis. Pro rata curtailment shall be done in accordance with Texas Water Code §11.039. Currently, the City works closely with wholesale customers in providing information on the drought contingency plan and water use triggers for management action. Monthly meetings are conducted with the City's wholesale and large industrial retail customers. All public information materials, including bill stuffers, brochures, etc., are available to the City's wholesale customers for distribution to their retail customers.

## **Section VII: Public Notification and Education**

The City will regularly 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 releases, web page, watering calendars (magnets and stickers), television and radio advertisements, presentations to community groups, and other outreach methods as necessary. Information about the Plan, current drought conditions and applicable usage triggers will be provided to wholesale customers periodically during the regularly scheduled monthly meeting.

The City will work closely with the media to publicly announce the implementation of any of the stage restrictions. Particular public outreach and media focus will be provided during implementation of Stage 2, Stage 3 and additional emergency conservation measures.



## **Section VIII: Coordination with Regional Planning Groups (RPG)**

Located within the Lower Colorado Region Planning Area (Region K), the City of Austin has provided a copy of this Plan to the Lower Colorado Regional Planning Group. A copy of the transmittal letter to the planning group is provided in Appendix E.

## **Section IX: TCEQ Notification**

The City shall notify the executive director of the Texas Commission on Environmental Quality within five (5) business days of the implementation of any mandatory provisions of the Drought Contingency Plan.

## **Section X: Plan Review and Updates**

This Plan was developed to meet the Senate Bill 1 (SB 1) requirement to submit a drought contingency plan and provide the community and water customers with essential drought contingency response information, regulations, and services. The Plan will be reviewed at a minimum of every five (5) years and updated based on developments in Austin's water service area.

## **APPENDIX A: Emergency and Peak Day Water Use Management Codes**

## **AUSTIN CITY CODE CHAPTER 6-4**

### **ARTICLE 2. WATER USE MANAGEMENT.**

#### **Division 1. General Provisions.**

##### **§ 6-4-51 DEFINITIONS.**

In this article:

- (1) DIRECTOR means the director of the Austin Water Utility.
- (2) NEW LANDSCAPE means vegetation:
  - (a) installed at the time of the construction of a new house, multi-family building, or commercial building;
  - (b) installed as part of a governmental entity's capital improvement project; or
  - (c) that alters more than one-half of the area of an existing landscape.
- (3) OUTDOOR WATER USE DAY means the day an owner is permitted to water under the city manager's water conservation guidelines.

*Source: 1992 Code Section 4-2-54; Ord. 031023-10; Ord. 031211-11.*

##### **§ 6-4-52 WATER USE MANAGEMENT PLAN ESTABLISHED.**

This article establishes a water use management plan.

*Source: 1992 Code Section 4-2-50; Ord. 031023-10; Ord. 031211-11.*

##### **§ 6-4-53 APPLICABILITY.**

This article applies to a person who uses or allows the use of water supplied by Austin Water Utility.

*Source: 1992 Code Section 4-2-53; Ord. 031023-10; Ord. 031211-11.*

##### **§ 6-4-54 COMPLIANCE REQUIRED.**

A person may not knowingly use or permit the use of the water in a manner that conflicts with the requirements of this article or in an amount greater than permitted by this article.

*Source: 1992 Code Section 4-2-60(A); Ord. 031023-10; Ord. 031211-11.*

#### **Division 2. Water Use Guidelines and Restrictions.**

#### **§ 6-4-61 WATER CONSERVATION GUIDELINES.**

- (A) The city manager shall adopt water conservation guidelines.
- (B) The guidelines shall include:
  - (1) policies for compliance by city departments;
  - (2) the criteria for determining when a conservation stage takes effect or terminates; and
  - (3) a system designating allowed days for outdoor water use by customers.
- (C) The city manager shall update the guidelines if the city manager determines that changed conditions of the city's water supply system require the update.
- (D) The guidelines shall be available for inspection at the Austin Water Utility administrative offices during normal business hours.

*Source: 1992 Code Section 4-2-60(B); Ord. 031023-10; Ord. 031211-11.*

#### **§ 6-4-62 EFFECTIVE DATES OF CONSERVATION STAGES.**

- (A) Except as provided in Subsection (B), Section 6-4-64 (*Water Conservation Stage One Regulations*) is effective:
  - (1) May 1 through September 30; and
  - (2) during other time periods as determined by the director.
- (B) The city manager may order that the water use restrictions of Section 6-4-65 (*Water Conservation Stage Two Regulations*), Section 6-4-66 (*Water Conservation Stage Three Regulations*), or Section 6-4-72 (*Additional Restrictions During Long-Term Water Supply Shortages*) take effect or terminate after determining that the order is necessary to protect the public health, safety, or welfare. The order is effective when announced publicly.
- (C) The director shall monitor the daily supply and demand for water and recommend to the city manager whether to implement or terminate water use restrictions.

*Source: 1992 Code Sections 4-2-52, 4-2-60(B), and 4-2-76; Ord. 031023-10; Ord. 031211-11.*

#### **§ 6-4-63 PERMANENT WATER USE RESTRICTIONS.**

A person may not:

- (1) fail to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
- (2) operate 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, allow water:
  - (a) to 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.

*Source: 1992 Code Section 4-2-61; Ord. 031023-10; Ord. 031211-11.*

#### **§ 6-4-64 WATER CONSERVATION STAGE ONE REGULATIONS.**

- (A) This section prescribes water conservation stage one regulations.
- (B) This section applies during the time periods prescribed by Section 6-4-62 (*Effective Dates Of Conservation Stages*).
- (C) Except as provided in Subsection (D), a person may not irrigate outdoors using a permanently installed automatic irrigation system between the hours of 10:00 a.m. and 7:00 p.m.
- (D) Subsection (C) does not apply to irrigation:
  - (1) at a single family, duplex, triplex, or fourplex residence;
  - (2) of a new landscape, if the owner provides complete notice in the form established in the water conservation guidelines to the director at least one day before installation:
    - (a) during landscape installation; and
    - (b) during the first seven days after installation is complete;
  - (3) during repair or testing of a new or existing irrigation system if the person performing the testing is present; or
  - (4) to water nursery stock at a commercial plant nursery.

*Source: 1992 Code Section 4-2-62; Ord. 031023-10; Ord. 031211-11.*

#### **§ 6-4-65 WATER CONSERVATION STAGE TWO REGULATIONS.**

- (A) This section prescribes stage two water use management regulations.
- (B) This section applies during a time period ordered by the city manager in accordance with Section 6-4-62 (*Effective Dates of Conservation Stages*).
- (C) This section does not apply to:
  - (1) necessary use of water, other than for landscape irrigation, by a governmental entity performing a governmental function, including for a capital improvement construction project;
  - (2) necessary use of water, other than for landscape irrigation, for land development including roadway base preparation, flushing a utility line, dust control, concrete or asphalt work, and building

construction, provided that if reclaimed water is available within one mile of the construction site, reclaimed water must be used for roadway base preparation and dust control;

- (3) necessary use of water for repair of a water distribution facility, residential and commercial plumbing, or a permanently installed landscape irrigation system; or
  - (4) use of water in accordance with a variance approved by the director.
- (D) The allowed days for outdoor water use in the water conservation guidelines do not apply to a customer who uses treated wastewater effluent or raw water.
- (E) This subsection prescribes requirements for outdoor irrigation, excluding watering nursery stock at a commercial plant nursery.
- (1) A person may not irrigate outdoors, except:
    - (a) with a hand-held hose or a hand-held bucket at any time;
    - (b) with a hose-end sprinkler, a soaker hose, or drip irrigation, from 12:00 a.m. to 10:00 a.m. and from 7:00 p.m. to 12:00 a.m. on a designated outdoor water use day;
    - (c) with a permanently installed automatic irrigation system from 12:00 a.m. to 10:00 a.m. on a designated outdoor water use day; or
    - (d) *in accordance with a variance granted by the director, if the director determines that a property cannot be completely watered 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 watered on different days.*
  - (2) This paragraph prescribes requirements for irrigating new landscape.
    - (a) A person may not irrigate new landscape, unless:
      - (i) the person provides a completed notice in the form established in the water conservation guidelines to the director at least one day before the landscape is installed; and
      - (ii) the person irrigates with a hose-end sprinkler, a soaker hose, or drip irrigation only from 12:00 a.m. to 10:00 a.m. and from 7:00 p.m. to 12:00 a.m. on a designated outdoor water use day, or with an automatic irrigation system from 12:00 a.m. to 10:00 a.m. on a designated outdoor water use day.
    - (b) The director may grant a variance from Subparagraph (a) if the director determines that a new landscape does not have an underground irrigation system and cannot feasibly be watered before 10:00 a.m. or after 7:00 p.m. If the director grants a variance, a person may water not more than three-quarters inch between 10:00 a.m. and 7:00 p.m. if the person:
      - (i) uses a hose timer or is on-site during the irrigation; and
      - (ii) complies with the following schedule:
        - 1. for the first 10 days after installation, watering is permitted every day;
        - 2. for day 11 through day 20 after installation, watering is permitted every other day; and

3. for day 21 through day 30 after installation, watering is permitted every third day.

(F) This subsection prescribes requirements for washing an automobile, truck, trailer, boat, airplane, or other mobile equipment.

(1) A person may not wash a vehicle or mobile equipment, except on a designated outdoor water use day from 12:00 a.m. to 10:00 a.m. and from 7:00 p.m. to 12:00 a.m.

(2) A person who washes a vehicle or mobile equipment must use a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle.

(3) A person may not conduct or participate in a charity car wash.

(4) A person commits a separate offense for each vehicle or piece of equipment washed in violation of the terms and conditions of this restriction.

(5) This subsection does not apply to a commercial carwash if:

(a) in-bay, hand-held spray wash equipment, including a spray wand or foaming brush, does not use more than 3.0 gallons of water a minute and has a trigger shutoff;

(b) portable pressure wash equipment with a spray nozzle does not use more than 3.5 gallons of water a minute and has a trigger shutoff;

(c) a conveyor friction system does not use more than 20 gallons for each vehicle;

(d) a conveyor touchless system does not use more than 40 gallons for each vehicle;

(e) a rollover automatic system does not use more than 45 gallons for each vehicle;

(f) each chamois wringer has a positive shutoff valve; and

(g) a system using reverse osmosis rinse water reclaims and reuses reject water, and the reject water is not discharged into a sanitary sewer.

(6) This subsection does not apply if washing the vehicle is necessary to protect the health, safety, or welfare of the public.

(G) This subsection prescribes requirements for foundation watering.

(1) A person may not water the ground around a foundation to prevent foundation cracking except on a designated outdoor water use day from 12:00 a.m. to 10:00 a.m.

(2) The director may grant a variance to Paragraph (1) if the director determines that additional watering is necessary to prevent foundation cracking. If the director grants a variance, a person may water a foundation:

(a) during the time period prescribed by Paragraph (1); and

- (b) on the second day after time period prescribed by Paragraph (1) from 12:00 a.m. to 10:00 a.m. using a soaker hose or drip system placed within 24 inches of the foundation that does not produce a spray of water above the ground.
- (H) A person may not use an automatic fill valve to add water to an outdoor swimming, wading pool, or pond.
- (I) A person may not operate an outdoor ornamental fountain or structure making similar use of water, other than the aeration necessary to preserve habitat for aquatic species. A person may not fill, refill, or add water to an indoor fountain.
- (J) A person may not irrigate a golf fairway, except on a designated outdoor water use day from 12:00 a.m. to 10:00 a.m. and from 7:00 p.m. to 12:00 a.m. A person may irrigate a golf course green or tee every other day if the person files a plan with the director establishing the irrigation schedule.
- (K) A person may not wash a sidewalk, driveway, parking area, street, tennis court, patio, or other paved area, except to alleviate an immediate health or safety hazard.
- (L) A restaurant may not serve water to a customer except when requested by the customer.
- (M) The owner of an athletic field used for an organized sport shall:
  - (1) comply with the outdoor irrigation requirements of Subsection (E); or
  - (2) if applicable, notify the director that the athletic field is in use or is to be used within 60 days of the institution of stage two regulations; and
    - (a) water the athletic field during the hours designated in Subsection (E) either each Monday and Thursday or each Tuesday and Friday; or
    - (b) if the irrigation system cannot provide three-fourths inch of water to the entire athletic field in one day during the designated hours, divide the athletic field into portions with separate addresses, and water each portion based on the assigned address on the appropriate outdoor water use day during the hours designated in Subsection (E).

*Source: 1992 Code Section 4-2-63; Ord. 031023-10; Ord. 031211-11.*

## **§ 6-4-66 WATER CONSERVATION STAGE THREE REGULATIONS.**

- (A) This section prescribes stage three water use management regulations.
- (B) This section applies during a time period ordered by the city manager in accordance with Section 6-4-62 (*Effective Dates of Conservation Stages*).
- (C) This section does not apply to a person who uses treated wastewater effluent or raw water.
- (D) A person may not irrigate vegetation outdoors, except:
  - (1) with a hand-held hose or hand-held watering can from 6:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m. on a designated outdoor water use day; or



- (2) at a commercial plant nursery with a hand-held hose, hand-held watering can, or drip irrigation system.
- (E) A person may not wash an automobile, truck, trailer, boat, airplane, or other mobile equipment. This prohibition does not apply if the washing is necessary to alleviate an immediate threat to public health, safety, or welfare, but a person may use a commercial car wash or commercial service station for this purpose only between 12:00 p.m. and 5:00 p.m.
- (F) This subsection prescribes requirements for foundation watering.
  - (1) A person may not water the ground around a foundation to prevent foundation cracking except on a designated outdoor water use day from 12:00 a.m. to 10:00 a.m.
  - (2) The director may grant a variance to Paragraph (1) if the director determines that additional watering is necessary to prevent foundation cracking. If the director grants a variance, a person may water a foundation:
    - (a) during the time period prescribed by Paragraph (1); and
    - (b) on the second day after time period prescribed by Paragraph (1) from 12:00 a.m. to 10:00 a.m. using a soaker hose or drip system placed within 24 inches of the foundation that does not produce a spray of water above the ground.
- (G) A person may not operate an outdoor ornamental fountain or structure making similar use of water, other than the aeration necessary to preserve habitat for aquatic species.
- (H) A person may not add potable water to a swimming pool, wading pool, fountain, or pond.
- (I) A person may not begin the installation of new landscape.
- (J) A person may not wash a sidewalk, driveway, parking area, street, tennis court, patio, or other paved area, except to alleviate an immediate health or safety hazard.
- (K) A restaurant may not serve water to a customer except when requested by the customer.

*Source: 1992 Code Section 4-2-64; Ord. 031023-10; Ord. 031211-11.*

### **Division 3. Additional Restrictions.**

#### **§ 6-4-71 DIRECTOR'S AUTHORITY TO IMPOSE ADDITIONAL RESTRICTIONS.**

- (A) The director may implement mandatory water restrictions in addition to those prescribed by Division 2 (*Water Use Guidelines And Restrictions*) to protect the public health and safety in the event of an unusual water system operational event, catastrophic occurrence, or severe weather event.
- (B) The director may implement mandatory restrictions, immediately effective, by public announcement.

*Source: 1992 Code Section 4-2-70; Ord. 031023-10; Ord. 031211-11.*

## **§ 6-4-72 ADDITIONAL RESTRICTIONS DURING LONG-TERM WATER SUPPLY SHORTAGES.**

- (A) This section applies if the city manager determines that:
  - (1) the available capacity of the Highland Lakes Reservoir is less than the anticipated demand; or
  - (2) the combined water storage levels of Lakes Travis and Buchanan are less than 681,000 acre-feet.
- (B) The city manager may:
  - (1) prohibit outdoor watering, except with treated wastewater effluent, raw water, well water, storm water, or stored rainwater; or
  - (2) require municipal wholesale customers to curtail water use on a pro rata basis, in accordance with Section 11.039 (*Distribution of Water During Shortage*) of the Texas Water Code.

*Source: 1992 Code Section 4-2-71; Ord. 031023-10; Ord. 031211-11.*

## **Division 4. Variances; Alternative Compliance.**

### **§ 6-4-81 VARIANCE.**

- (A) Except as provided in Subsection (B), the director may grant a variance from a requirement of this article if the director determines that special circumstances exist and that compliance with this article:
  - (1) adversely affects the health, sanitation, or fire protection of the public or the applicant; or
  - (2) substantially threatens the applicant's primary source of income.
- (B) The director may grant a variance from a requirement of Subsections 6-4-65(E) or 6-4-65(G) (*Water Conservation Stage Two Regulations*) in accordance with the applicable subsection.
- (C) A person may seek a variance by filing an application with the director. The director may require the applicant to provide information the director determines is necessary to evaluate the variance request.
- (D) If the director approves a variance, the applicant shall keep a copy of the approval in a location on the affected property that is accessible and visible to the public.

*Source: 1992 Code Section 4-2-77; Ord. 031023-10; Ord. 031211-11.*

### **§ 6-4-82 EXPIRATION OF VARIANCE.**

- (A) A variance from a stage one requirement expires when stage two regulations take effect.
- (B) A variance from a stage two requirement expires when stage three regulations take effect.
- (C) A variance from a requirement of this article expires when additional restrictions during long-term water supply shortage are adopted under Section 6-4-72 (*Additional Restrictions During Long-Term Water Supply Shortages*).

- (D) A variance from a requirement of this article expires if the applicant is convicted of violating this article.

*Source: 1992 Code Section 4-2-79; Ord. 031023-10; Ord. 031211-11.*

#### **§ 6-4-83 ALTERNATIVE COMPLIANCE.**

- (A) The director may permit a person to comply with alternative water use restrictions after determining that the alternative restrictions meet or exceed the intent of this article.
- (B) If the director approves alternate water use restrictions, the applicant shall keep a copy of the approved restrictions in a location on the affected property that is accessible and visible to the public.

*Source: 1992 Code Section 4-2-78; Ord. 031023-10; Ord. 031211-11.*

### ARTICLE 3. ENFORCEMENT.

#### **§ 6-4-91 PRESUMPTION OF VIOLATION.**

A person in whose name a water service account is held is presumed to be responsible for a violation of this article that occurs at the water service account location.

*Source: 1992 Code Section 4-2-75; Ord. 031023-10; Ord. 031211-11.*

#### **§ 6-4-92 PENALTY.**

- (A) A person commits an offense if the person performs an act prohibited by this chapter or fails to perform an act required by this chapter. Each instance of a violation of this chapter is a separate offense.
- (B) Proof of a culpable mental state is not required for a conviction of an offense under this chapter.
- (C) An offense under this chapter is a Class C misdemeanor, punishable by a fine not to exceed \$2,000.00. Prosecution of an offense and enforcement of other remedies under this chapter are cumulative.
- (D) For repeat violations of this chapter, the director may disconnect or restrict water service.
- (E) If a person is irrigating during a time period or on a day when irrigation is not permitted for the person's street address, and a City employee cannot find a person at that address to turn off the irrigation system, the City employee may turn off an accessible irrigation system.

*Source: 1992 Code Section 4-2-99; Ord. 031023-10; Ord. 031211-11.*

## **APPENDIX B: 5-day Watering Schedule**

## City of Austin 5-Day Watering Schedule

From May 1 through September 30, customers are asked to water only on their assigned day before 10:00 am or after 7:00 pm. This schedule is voluntary during Stage 1 Drought Restrictions and mandatory during stages 2 and 3.

Customers are assigned watering days based on the last number of their street address. Using the 5-Day Watering Calendar below, customers find the last number of their street address in the first column, then read across to the current month to find their watering day. For example, the customer at 625 Water St. would begin watering on May 5th, and water again on May 10th if needed.

Last # of Address	May	June	July	August	September
0 or 9	1,6,11,16,21,26,31	5,10,15,20,25,30	5,10,15,20,25,30	4,9,14,19,24,29	3,8,13,18,23,28
1 or 8	2,7,12,17,22,27	1,6,11,16,21,26	1,6,11,16,21,26,31	5,10,15,20,25,30	4,9,14,19,24,29
2 or 7	3,8,13,18,23,28	2,7,12,17,22,27	2,7,12,17,22,27	1,6,11,16,21,26,31	5,10,15,20,25,30
3 or 6	4,9,14,19,24,29	3,8,13,18,23,28	3,8,13,18,23,28	2,7,12,17,22,27	1,6,11,16,21,26
4 or 5	5,10,15,20,25,30	4,9,14,19,24,29	4,9,14,19,24,29	3,8,13,18,23,28	2,7,12,17,22,27

During the summer watering season, the Watering Calendar is published in utility bill inserts and newspaper advertisements and distributed on magnets and stickers. The calendar is always available on the City of Austin website.

## **APPENDIX C: Water Use Triggers for Peak Day Management Ordinance**

*For the year 2004*



City of Austin  
Austin Water Utility



## MEMORANDUM

**TO:** Chris Lippe, P.E., Director  
**FROM:** Jane Burazer, Assistant Director  
Water and Wastewater Treatment  
**DATE:** April 27, 2004

**SUBJECT:** Conservation Triggers

The purpose of this memo is to recommend water usage triggers for use this summer under the Water Conservation Ordinance.

The conservation trigger for mandatory water use restrictions are historically based upon system capacities. There have been no changes made to the water system this past year to change the capacity.

The System capacity for the Summer of 2004 is based on the treatment capacity:

Green WTP	42 mgd
Davis WTP	118 mgd
<u>Ullrich WTP</u>	<u>100 mgd</u>
Total	260 mgd

Chris Lippe, P.E.  
April 27, 2004  
Page 2

Based on the total combined capacities of the three water plants, I recommend that the following triggers be set for this year.

Recommended Usage Triggers

Summer 2004

System Capacity 260 mgd

To Stage II

3 consecutive days 247 mgd  
single day 251 mgd

To Stage III

To be determined as needed by the Director of the Austin Water Utility.

If you have any questions or need additional information, please call me.

*Jane Burazer*

Jane Burazer, Assistant Director  
Water and Wastewater Treatment  
Austin Water Utility

Xc: Assistant Directors  
Jean Schulze  
George Greene  
Laurie Lentz  
Tony Gregg

Concurrence

*Chris Lippe*  
Chris Lippe, Director

*4/27/04*  
Date



**APPENDIX D: Resolutions in Support of Revisions to Peak Day Ordinance and Adoption of Drought Contingency Plan**

- (1) *Water and Wastewater Commission Resolution*
- (2) *Resource Management Commission Resolution*

No.040605-B  
WATER AND WASTEWATER COMMISSION RESOLUTION  
RESOLUTION REPEALING RESOLUTION NO. 990826-66 AND ADOPTING THE CITY OF AUSTIN  
DROUGHT CONTINGENCY PLAN. THIS PLAN IS A REQUIREMENT  
OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)  
OF THE STATE OF TEXAS

April 6, 2005  
REGULAR MEETING  
VOTE: 7-0-0-1

Motion made by: Raun  
Commissioners Consenting: Coleman, Fricse, Warner, Chan, Pool, Gonzalez  
Commissioners Dissenting:  
Commissioners Abstaining:  
Commissioners Absent: Lee

The Water and Wastewater Commission recommends the Council authorize negotiation and execution of a resolution repealing Resolution No. 990826-66 and adopting the City of Austin Drought Contingency Plan. This plan is a requirement of the Texas Commission on Environmental Quality (TCEQ) of the State of Texas

  
\_\_\_\_\_  
Michael Warner Chairperson  
Water and Wastewater Commission

4/5/05  
Date




**Resource Management Commission**  
**Resolution**  
Austin Water Utility – Drought Contingency Plan  
April 19, 2005  
Vote: 6-0-1-0-1

**Motion by:** A. Martinez  
**Second by:** G. Hsieh  
**For:** K. Strnad, J. Beckage, R. Amato, C. Barron  
**Against:** 0  
**Abstain:** 0  
**Absent:** A. Donoho  
**Vacant:** M. Kuhn  
**Motion:** Passed

The Resource Management Commission supports the City of Austin's Water Conservation Programs, and recommends that the City Council adopt the 2005 Drought Contingency Plan. This plan is designed to meet Section 11.1272 of the Texas Water Code and chapter 288 of the Texas Administrative Code. These regulations require all Texas public water supply systems providing service to 3,300 or more connections to prepare a drought contingency plan. The plan is required to be officially adopted through resolution or ordinance before being submitted to the TCEQ for final approval on May 1, 2005.

The 2005 Drought Contingency Plan adheres to the requirements of the Texas Administrative Code by including the specific criteria for the initiation and termination of drought response stages, as well as the measures to be implemented during these stages in order to achieve reductions in water use. In addition, the 2005 Plan includes specific, quantified target amounts for water use reductions to be achieved during periods of drought and water shortage. The Plan also specifies how the City will respond to and manage the water system during a repetition of the critical drought of record. Both water supply and system capacity management actions are codified in the City of Austin's Municipal Code, Title IV Environmental Control/Conservation, Chapter 4-2 Water Conservation, Article II Emergency and Peak Day Water Use Management, and are therefore included in the Plan.

  
\_\_\_\_\_  
Approved, Adan Martinez, Chair

\_\_\_\_\_  
April 19, 2005

## **APPENDIX E: Transmittal Letter to Regional Planning Group**



# City of Austin

Water Conservation Program  
PO Box 1088, Austin, Texas 78767  
Telephone (512) 974-2199, Fax (512) 974-6548, [www.cityofaustin.org/watercon](http://www.cityofaustin.org/watercon)

April 28, 2005

RE: Transmittal Letter for the City of Austin's Water Conservation and Drought Contingency Plans

John Burke, Chair  
Lower Colorado Region (K)  
Lower Colorado River Authority  
P.O. Box 220  
Austin, TX 78767-0220

Dear Mr. Burke:

The enclosed 2005 Water Conservation and Drought Contingency Plans for the City of Austin are provided to you to meet the requirements set forth by the Texas Administrative Code. These plans are being submitted to coordinate water conservation and drought planning with the Regional Water Planning Group for the Lower Colorado Region service area, and ensure consistency with the approved regional water plans.

If you have any questions on the enclosed plans or would like additional conservation and planning information, please let me know.

Sincerely,

Tony Gregg  
Water Conservation Division Manager  
Austin Water Utility

Phone: (512) 974-3557  
Email: [tony.gregg@ci.austin.tx.us](mailto:tony.gregg@ci.austin.tx.us)

Enclosure: City of Austin, 2005 Water Conservation Plan  
City of Austin, 2005 Drought Contingency Plan