

# City of Bartlett

140 West Clark Street  
Bartlett, TX 76511

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## DROUGHT CONTINGENCY PLAN

### CITY OF BARTLETT, TEXAS

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MRB Group Project No. 0213.22001.000

Prepared by:

**MRB** | *group*

303 W. Calhoun Avenue

Temple, Texas 76501

TBPE Firm Registration Number F-10615

(254) 771-2054 Phone

[www.mrbgroup.com](http://www.mrbgroup.com) — e-mail: [info@mrbgroup.com](mailto:info@mrbgroup.com)

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**TABLE OF CONTENTS**

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**I. DECLARATION OF POLICY, PURPOSE AND INTENT .....1**

**II. PUBLIC INVOLVEMENT .....1**

**III. PUBLIC EDUCATION .....1**

**IV. COORDINATION WITH REGIONAL WATER PLANNING GROUPS.....2**

**V. AUTHORIZATION.....2**

**VI. APPLICATION.....2**

**VII. DEFINITIONS .....2**

**VIII. INITIATION AND TERMINATION OF WATER SHORTAGE STAGES .....4**

    STAGE 1 – MILD WATER SHORTAGE.....4

    STAGE 2 – MODERATE WATER SHORTAGE .....4

    STAGE 3 – SEVERE WATER SHORTAGE .....5

    STAGE 4 – EMERGENCY WATER SHORTAGE .....5

**IX. WATER SHORTAGE RESPONSE .....6**

    MILD WATER SHORTAGES .....6

    MODERATE WATER SHORTAGES .....7

    SEVERE WATER SHORTAGES .....8

    EMERGENCY WATER SHORTAGES.....9

**X. ENFORCEMENT .....10**

**XI. VARIANCES.....11**

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## **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 City of Bartlett hereby adopts the following regulations and restrictions on the delivery and consumption of water.

This Plan is designed to meet the requirements of 30 Texas Administrative Code §288 pertaining to Drought Contingency Plans for Municipal Users by Public Water Suppliers.

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

## **II. PUBLIC INVOLVEMENT**

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Bartlett by means of a scheduled public hearing to accept input on the proposed plan.

## **III. PUBLIC EDUCATION**

The City of Bartlett 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 City website, City Hall postings, and press releases.

#### **IV. COORDINATION WITH REGIONAL WATER PLANNING GROUPS**

The service area of the City of Bartlett is located within the Brazos G Regional Water Planning Area. The City of Bartlett has provided a copy of this Plan to the Brazos G Regional Water Planning Group.

#### **V. AUTHORIZATION**

The City Administrator is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Administrator shall have the authority to initiate or terminate drought stages or water shortage response measures as described in this Plan.

#### **VI. APPLICATION**

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

#### **VII. DEFINITIONS**

Addresses:

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.

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

City Administrator: City Administrator or designee.

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

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

Customer: any person, company, or organization using water supplied by the City of Bartlett.

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.

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 nor required for the protection of public, health, safety, and welfare, including:

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

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## VIII. INITIATION AND TERMINATION OF WATER SHORTAGE STAGES

The City Administrator shall monitor water supply and demand conditions on a regular basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. The triggering criteria described below are based on known capacity limits of the water system, and total water daily demand.

### **Stage 1 – Mild Water Shortage**

Requirements for Initiation: Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses when:

- a. Inability of recover 90 percent of water stored in all storage tanks within a 12-hour period;
- b. When Water Well #2 is inoperative or in a degraded state;
- c. When the total daily water demand equals or exceeds 75% of plant capacity for three consecutive days or 80% of plant capacity on a single day

Requirements for Termination: Declaration of Mild Water Shortage may be rescinded when all conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days or when the City Administrator declares termination.

### **Stage 2 – Moderate Water Shortage**

Requirements for Initiation: Customers shall be required to adhere to the prescribed restrictions on certain water uses, as proved in Section, “Water Shortage Response” when:

- a. Inability of recover 90 percent of water stored in all storage tanks within a 24-hour period;
- b. When Water well #2 is inoperative;
- c. When the total daily water demand equals or exceeds 85% of plant capacity for three consecutive days or 90% of plant capacity on a single day;

- d. When the static water level in the City of Bartlett's ground storage tanks are 75% or less for a 24-hour period.

Requirements for Termination: Declaration of Moderate Water Shortage may be rescinded when all conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days or when the City Administrator declares termination. Upon termination of Moderate Water Shortage, the standard conditions of a Mild Water Shortage become operative.

### **Stage 3 – Severe Water Shortage**

Requirements for Initiation: Customers shall be required to adhere to the prescribed restrictions on certain water uses, as proved in Section, “Water Shortage Response” when:

- a. Inability of recover 90 percent of water stored in all storage tanks within a 48-hour period;
- b. When the total daily water demand equals or exceeds 90% of plant capacity for three consecutive days or 95% of plant capacity on a single day;
- c. When the static water level in the City of Bartlett's ground storage tanks are 60% or less for a 24-hour period.

Requirements for Termination: Declaration of Severe Water Shortage may be rescinded when all conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days or when the City Administrator declares termination. Upon termination of Severe Water Shortage, the standard conditions of a Moderate Water Shortage become operative.

### **Stage 4 – Emergency Water Shortage**

Requirements for Initiation: Customers shall be required to adhere to the prescribed restrictions on certain water uses, as proved in Section, “Water Shortage Response” when:

- a. Major water line breaks, or pump or system failures occur, which cause loss of capability to provide water service;

- b. Natural or man-made contamination of the water supply source;
- c. The City Administrator declares and Emergency Water Shortage.

Requirements for Termination: Declaration of Severe Water Shortage may be rescinded when all conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days or when the City Administrator declares termination. Upon termination of Emergency Water Shortage, the standard conditions of a Severe Water Shortage become operative unless otherwise determined by the City Administrator.

## IX. WATER SHORTAGE RESPONSE

The City Administrator, or his/her designee, shall monitor water supply and demand conditions on a regular basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate or severe water shortage exists and shall implement the following actions:

### Mild Water Shortages

Target: Achieve a 5% voluntary reduction in daily water demand.

Voluntary Water Use Restrictions:

- a. Water customers are requested to voluntarily limit the irrigation of landscaped areas based on the last digit of the meter service address or type of connection. Irrigate landscapes before 10:00 am and after 8:00 pm only on designated days.

Last Digit Address Residential:                      Allowed Landscape Water Days:

Odd	Sunday and Thursday
Even	Saturday and Wednesday
All Non-Residential Accounts	Monday and Friday

Watering of landscaped areas is permitted anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less or a permanently installed



drip irrigation system;

- a. Water customers are requested to practice water conservation and to minimize water use for non-essential purposes.

**Moderate Water Shortages**

Target: Achieve a 10% reduction in daily water demand.

Mandatory Water Use Restrictions:

- a. Water customers are required to limit the irrigation of landscaped areas based on the last digit of the meter service address or type of connection. Irrigate landscapes before 10:00 am and after 8:00 pm only on designated days.

<u>Last Digit Address Residential:</u>	<u>Allowed Landscape Water Days:</u>
Odd	Sunday and Thursday
Even	Saturday and Wednesday
All Non-Residential Accounts	Monday and Friday

Watering of landscaped areas is permitted anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less or a permanently installed drip irrigation system;

- b. Use of water to fill, refill or add to any indoor or outdoor swimming pools, wading pools or Jacuzzi-type pools is prohibited except on designated watering days;
- c. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system;
- d. All restaurants are prohibited from serving water to patrons except upon request of the patron;
- e. The following uses of water are defined as non-essential and are prohibited:

1. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas;
2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. Use of water for dust control;
4. Flushing gutters or permitting water to run or accumulate in any gutter or street and;
5. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

**Severe Water Shortages**

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

Mandatory Water Use Restrictions:

- a. Water customers are required to limit the irrigation of landscaped areas based on the last digit of the meter service address or type of connection. Irrigate landscapes before 8:00 am and after 8:00 pm only on designated days.

<u>Last Digit Address Residential:</u>	<u>Allowed Landscape Water Day:</u>
0, 1	Monday
2, 3	Tuesday
4, 5	Wednesday
6, 7	Thursday
8, 9	Friday
Saturday and Sunday – No Watering. Storage and Recovery days	

Watering of landscaped areas is permitted anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less or a permanently installed drip irrigation system;

- b. Use of water to fill, refill or add to any indoor or outdoor swimming pools, wading pools or Jacuzzi-type pools is prohibited except on designated watering days. Replenishment is to maintain operational purposes only;

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- c. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system;
  - d. All restaurants are prohibited from serving water to patrons except upon request of the patron;
  - e. Excessive water run-off from any landscaped area onto streets, alleys or parking lots is prohibited. Run-off is excessive when it extends for a distance greater than ten (10) feet from the customers property;
  - f. The following uses of water are defined as non-essential and are prohibited:
    - 1. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas;
    - 2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
    - 3. Use of water for dust control;
    - 4. Flushing gutters or permitting water to run or accumulate in any gutter or street and;
    - 5. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

### **Emergency Water Shortages**

Target: Achieve a 30% reduction in daily water demand.

Mandatory Water Use Restrictions:

- a. Irrigation of landscaped areas is prohibited;
- b. Use of water to wash any motor vehicle, motor bike, boat, trailer, airplane, or other vehicle is prohibited;
- c. The filling, refilling or adding of water to any indoor or outdoor swimming pools, wading pools or Jacuzzi-type pools is prohibited;

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**X. ENFORCEMENT**

- a. 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 ordinance, 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 Administrator, in accordance with provisions of this ordinance.
- b. Any person who violates this ordinance is guilty of a Class C Misdemeanor, and upon conviction shall be punished by a fine of not less than one-hundred (\$100.00) and not more than two-thousand dollars (\$2000). Each day that one or more of the provisions in this ordinance is violated shall constitute a separate offense. If a person is convicted of three (3) or more distinct violations of this ordinance, the City Administrator 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 in accordance with current policies and ordinances and any other costs incurred by the City in discontinuing service.
- c. 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. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation.
- d. Any employee of the City, police officer, or other employee designated by the City Administrator, may issue a citation to a person he/she reasonably believes to be in violation of this ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offence charged and shall

direct him/her to appear in the municipal court on the date shown on the citation. The court date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of the violator, or to a person over fourteen (14) years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this ordinance. If the alleged violator fails to appear in municipal court a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in the municipal court before all other cases.

## **XI. VARIANCES**

The City Administrator 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 person requesting such variance and if one or more of the following conditions are met:

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

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City within 5 days after the Plan or a drought response stage has been invoked. All petitions for variances shall be reviewed by the City Administrator 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.

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- 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 the 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.

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