

CITY OF SUNRISE BEACH VILLAGE

DROUGHT MANAGEMENT ORDINANCE 324

AN ORDINANCE OF THE CITY OF SUNRISE BEACH VILLAGE, TEXAS, AMENDING RESOLUTION 232, ALL SECTIONS DEALING WITH THE DROUGHT MANAGEMENT PLAN FOR LAND AND LOTS WITHIN THE CITY LIMITS; PROVIDING SEVERABILITY, OPEN MEETINGS AND PROVIDING PENALTIES AND PROVIDING FOR RELATED MATTERS

1.0 INTRODUCTION	2
1.1 AUTHORIZATION AND IMPLEMENTATION.....	3
1.2 PUBLIC INVOLVEMENT.....	3
1.3 DEFINITIONS.....	3
1.3 APPLICATION.....	5
1.3 COORDINATION WITH REGIONAL WATER PLANNING GROUPS LCRA	5
1.4 PLAN ORGANIZATION	5
2.0 SRB Water Utilities Drought Contingency Plan	5
2.1 PERMANENT WATER USE RESTRICTIONS.....	5
2.2 Triggering Criteria for Initiation and Termination of Drought Response Stages	6
2.3 DROUGHT RESPONSE MEASURES.....	9
2.3.1 Targets for Water-Use Reductions	10
2.3.2 Retail Customers - Stage Specific Restrictions	10
3.0 Drought Contingency Plan Administration	15
3.1 Notification Requirements.....	15
3.2 Public Notification.....	15
3.3 Implementation.....	16
3.4 Ordinance Interpretation.....	16
3.5 Enforcement	17
3.6 Penalty.....	17
3.7 Exceptions.....	18
LIST OF APPENDICES	
APPENDIX A ADHERENCE TO TCEQ CHAPTER 288 RULES.....	20
APPENDIX B SRB APPROVAL RESOLUTION (INCLUDES COPY OF RAW WATER APPLICATION)	21
APPENDIX C SRB UTILITY SYSTEMS MAP	28
APPENDIX D FIGURES 1 AND 2 SYSTEM LUE'S AND ANNUAL WATER DEMAND	29
APPENDIX E SRB BASELINE WATER USE AND WATER LOSS	32

WHERE AS, the City of Sunrise Beach Village needs to revise the Drought Management Plan to comply with current and future Texas Commission on Environmental Quality (TCEQ) and Lower Colorado River Authority (LCRA) directives restricting water use during drought conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNRISE BEACH VILLAGE, TEXAS THAT:

Authority. This Ordinance is adopted pursuant to the police powers of the City of Sunrise Beach Village and under the authority of the Constitution and general laws of the State of Texas.

Title. This Ordinance shall be known, and may be cited, as the Drought Management Ordinance of the City of Sunrise Beach Village, Texas.

1.0 Introduction History and General Purpose

History.

The City of Sunrise Beach Village was Incorporated in November 1973.

The Water System was purchased from LCRA on December 7, 2011.

Resolution 232 providing a Water Conservation and Drought Management Plan was enacted August 2011.

The Drought Management part of the Plan was revised and reissued as the Drought Management Ordinance 324 on March 27, 2014.

General Purpose. The City of Sunrise Beach Village (SRB) has revised the Water Utilities Drought Contingency Plan for its treated water utility systems to manage its public water resources efficiently and to plan appropriate responses to emergency and drought conditions. The City of Sunrise Beach Village currently utilizes well water to supply the Sunrise Beach Water System. This plan anticipates that SRB would continue in this mode unless and until there is a change in the status of these wells where supplemental water would be required to adequately supply the SRB Municipal water requirements. The City secured a contract for purchasing surface water from the LCRA should it ultimately be required This plan revises the original Drought Management portion of the plan approved as Resolution 232, approved October 5, 2011, and put into effect on December 7, 2011 when the purchase of the water system was finalized.

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, SRB and LCRA may require water customers to institute temporary restrictions to limit non-essential water usage. This Drought Contingency Plan is designed to protect the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, during these periods or other water supply emergencies. Water uses regulated or prohibited under this Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water.

This plan fulfills requirements of the Texas Administrative Code, Title 30, sections 288.20 and 288.22, regarding drought contingency planning for municipal water suppliers, Appendix A provides details on how the SRB Utilities Drought Contingency Plan adheres to the Texas Administrative Code for drought contingency plan requirements.

The plan recognizes that conservation as detailed in the Water Conservation Plan is a valuable tool in managing water utility systems. Water conservation can extend available water supplies; reduce the risk of shortage during periods of extreme drought; reduce water utility operating costs; improve the reliability and quality of water utility service; reduce customer costs for water service; enhance water quality and protect the environment. All residential and commercial primary structures are required to have a LCRA licensed septic system installed. This plan assumes that SRB will continue to utilize ground water for supply to the system in the near term. In the future it may become necessary for SRB to supplement some or all the supply with surface water and this plan has goals and triggers consistent with a system supplied by either ground water or surface water.

1.1 Authorization and Implementation

The Mayor of SRB is authorized and directed to implement the applicable provisions of this plan. The Mayor of SRB will have the authority to initiate and terminate drought or other water supply emergency response measures as described in this plan. Appendix B provides a copy of the Resolution for approval of the LCRA Raw water application which includes the WCP/DCP. Further, the Mayor of SRB will act as administrator of this plan. The administrator/coordinator will oversee the implementation of the program and will be responsible for ensuring that staff keeps adequate records for program verification. SRB staff will assist with implementation of programs and projects described in this plan.

1.2 Public Involvement and Education

A designated manager or official of SRB will periodically provide its employees, members, and the general public with information about this Plan, including the importance of the Plan, information about the conditions under which each stage of the Plan is to be initiated, processes used to reduce water use, and impending or current drought conditions.

This Ordinance may be enforced by injunction and other judicial proceedings, either at law or in equity, and, in lieu of or in addition to any other authorized enforcement or action taken, by any person who violates any term or provision of this ordinance, with respect to water usage on any land or development within the City by fine and penalties as provided herein.

1.3 Definitions

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

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

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

Customer: any person, company, or organization using water supplied by Sunrise Beach Water Utility System.

Domestic water use: use of water by an individual or a household to support its domestic activity. Such use may include consumption, washing, or cooking; irrigation of lawns, family garden or orchard; consumption by animals; and recreation including fishing, swimming, and boating. If the water is diverted, it must be diverted solely through the efforts of the user. Domestic use does not include water used to support activities for which consideration is given or received or for which the product of the activity is sold.

Industrial water use: water used in commercial processes, including commercial fish and shellfish production and the development of power by means other than hydroelectric. This does not include agricultural use.

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.

Livestock water use: water used for the open-range watering of livestock, exotic livestock, game animals or fur-bearing animals. For purposes of this definition, the terms "livestock" and "exotic livestock" are to be used as defined in § 142.001 of the Agriculture Code, and the terms "game animals" and "fur-bearing animals" are to be used as defined in §63.001 and §71.001, respectively, of the Parks and Wildlife Code.

"New landscape" means:

- a. Installed during 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. Alters more than one-half of the area of an existing landscape.

Non-essential water use: water uses that are not essential or are not required for the protection of public health, safety and welfare, such as:

- (a) Irrigating landscape areas, including parks, athletic fields, and golf courses, except for as otherwise provided under this plan;
- (b) Washing any motor vehicle, motorbike, boat trailer, airplane, or other vehicle;
- (c) Washing any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) Washing buildings or structures for purposes other than immediate fire protection;
- (e) Flushing house gutters or permitting water to run or accumulate in any gutter or street;

- (f) Filling, refilling, or allowing to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) Filling a fountain or pond for aesthetic or scenic purposes except when necessary to support aquatic life;
- (h) Failure to repair a controllable leak within a reasonable period after having been directed to do so by formal notice; and
- (i) Drawing from hydrants for construction purposes or any other purposes other than fire fighting or protecting public drinking water supplies.

Use of water for livestock is not included in the definition of “non-essential water use.”

Retail Water Customer: an individual or entity that purchases water from the SRB water utility for its consumption.

1.4 Application

This plan applies only to treated water utility systems owned and operated by SRB. Appendix D provides a map of the service area for the utility system. The community is comprised of “weekenders”, vacation homes, retirees and people who work in the Hill Country. The systems serve a population of 713 people who reside in SRB on a full time basis. The population during weekend and holiday period can expand to as high as 3000 people. System capacity is 470,000 gpd with a peak average daily flow (12 month) of 282,000 gpd.

1.4 Coordination with Regional Water Planning Groups

SRB water utility system is located in the lower Colorado River basin within the Region K planning area.

1.5 Plan Organization

This is the drought contingency ordinance that along with the Water Conservation Resolution and both apply to the SRB utility. The area served by the SRB water utility range from rural to urban. The population served varies from weekenders to full-time residents and commercial customers. Conservation and drought response priorities are consistent with an area where per capita use is low.

2.0 SRB Water Utilities Drought Contingency Plan

2.1 Permanent Water Use Restrictions

The following restrictions apply to the SRB water utility system on a year-round basis. SRB will adopt a plan to allow a maximum twice-weekly watering schedule for the Water System, to conserve water and lower daily peak demand of the water treatment plant. This schedule assumes an application rate of one inch of water per week in two half-inch applications. According to research, one inch of water per week is sufficient to sustain most residential lawns and landscapes. However, multiple applications on yards of shallow soil depth allow for less runoff and improved soil retention. According to the restrictions, a water user must not:

- (1) Fail to repair a controllable leak, including:
 - a. a broken sprinkler head,
 - b. a leaking valve,
 - c. leaking or broken pipes, or
 - d. a leaking faucet.

- (2) Operate an 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 area, or
 - c. a head that is fogging or misting because of excessive water pressure.

- (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 pool in a street or parking lot to a depth greater than one-quarter of an inch.

In addition to the permanent water use restrictions mentioned previously Water System customers may:

Irrigate outdoors using an in-ground irrigation system or hose-end sprinkler no more than twice per week and only during scheduled days and times as indicated below:

Residential

Odd number addresses: Wednesdays and Saturdays

Even number addresses: Thursdays and Sundays

Effective March 1 through September 30 each year

Commercial (including large landscapes such as HOA common

areas)

Tuesdays and Fridays

Effective all year

Watering Hours:

Midnight to 10 a.m. and 7 p.m. to midnight

Effective all year

2.2 Triggering Criteria for Initiation and Termination of Drought Response Stages

The Mayor of SRB shall monitor water supply and demand conditions and shall determine when conditions warrant initiation and termination of each stage of the SRB Water Utilities Drought Contingency Plan. Water supply conditions will be determined by the availability of the source of supply, system capacity, and weather conditions. Demand will be measured by the peak daily demands on each system.

Notification of the initiation or termination of drought response stages shall be by a variety of ways, possibly including local media, direct mail to each customer, the SRB web site (cityofsunrisebeach.org) and signs posted at SRB City offices and other public places.

The following triggering criteria shall apply to SRB water utility systems:

(1) **Stage 1 - Mild Water Shortage Conditions (Voluntary Measures)**

Requirements for initiation—Customers shall be requested to conserve water voluntarily and adhere to the Stage 1 Drought Response Measures when one or a combination of such triggering criteria occurs:

- a. For a surface water supply systems, when total daily water demand equals or exceeds 80 percent of:
 - i. the total design capacity of an SRB water treatment plant for three consecutive days, or 85 percent on a single day; or
 - ii. the contracted peak day capacity for systems supplied by another provider; or
- b. For a groundwater supply system, when maximum daily usage equals or exceeds 70 percent of the pump's or well's rated capacity, whichever is less, for three consecutive days; or
- c. As restrictions published by LCRA public information releases for firm water customers.

Requirements for termination— **Stage 1 of the plan may be rescinded when:**

- a. For surface water supply systems, the water treatment plant capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- b. For groundwater supply systems, the groundwater capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- c. For surface water systems, LCRA announces that curtailment of water supplies to firm water customers is no longer required.

(2) **Stage 2—Moderate Water Shortage Conditions (Mandatory Measures)**

Requirements for initiation — Customers shall be required to comply with the Stage 2 Drought Response Measures of this plan when the following triggering criteria are met:

- a. For surface water supply systems, when total daily water demand equals or exceeds 93 percent of:
 - i. the total design capacity of the SRB water treatment plant for three consecutive days or 95 percent on a single day; or
 - ii. the contracted peak day capacity for systems supplied by another provider; or
- b. For groundwater supply systems, when maximum daily usage equals or exceeds 85 percent of the pump's or well's rated capacity, whichever is less, for three consecutive days;
- c. When the drought contingency measures of the LCRA Water Management Plan request that firm water customers voluntarily implement mandatory water restrictions.

Requirements for termination — Stage 2 of the Plan may be rescinded when:

- a. For surface water supply systems, the water treatment plant capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- b. For groundwater supply systems, the groundwater capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- c. For surface water system, LCRA announces that curtailment of water supplies to firm water customers is no longer required.

Upon termination of Stage 2, Stage 1 becomes operative.

(3) Stage 3 - Severe Water Shortage Conditions (Additional Mandatory Measures)

Requirements for initiation - Customers shall be required to comply with Stage 3 Drought Response Measures of this plan when severe water shortage conditions exist. SRB will recognize that a severe water shortage condition exists when any of the following criteria are met:

- a. For surface water supply systems, when total daily water demand equals or exceeds 95 percent of:
 - i. the total design capacity of the SRB water treatment plant for three consecutive days, or 97 percent on a single day; or
 - ii. the contracted peak day capacity for systems supplied by another provider; or
- b. For groundwater supply systems, when maximum daily usage equals or exceeds 95 percent of the pump's or well's rated capacity, whichever is less, for three consecutive days; or
- c. When the drought contingency measures of the LCRA Water Management Plan require that firm water customers curtail water use on a pro rata basis; or

Requirements for termination — Stage 3 of the Plan may be rescinded when:

- a. For surface water supply systems, the water treatment plant capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- b. For groundwater supply systems, the groundwater capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- c. For surface water systems, LCRA announces that curtailment of water supplies to firm water customers is no longer required under drought contingency measures of the LCRA DCP.

Upon termination of Stage 3, Stage 2 becomes operative.

(4) **Stage 4 - Emergency Water Conditions**

Initiation and termination of water emergencies will operate under measures listed in the SRB Drinking Water Emergency Response Plan. A copy of this plan is available upon request. The SRB Mayor or designee will notify affected retail customers, wholesale customers, and the media of the initiation and termination of Stage 4. Examples of a water emergency include, but are not limited to, the following:

- a. Major water line breaks, loss of distribution pressure, or pump system failures that cause substantial loss in its ability to provide water service,
- b. Contamination of the water supply source,
- c. Any other emergency water supply or demand conditions that the SRB Mayor or designee determines to constitute a water supply emergency more severe than that contemplated in the triggers contained in the SRB Water Management Plan.
- d. LCRA determination that a drought worse than the drought of record resulting in inflows and lake levels dropping below critical levels exist and warrant emergency procedures be implemented.

Upon declaration of Stage 4 — Emergency Water Conditions, water use restrictions outlined in Stage 4 Emergency Response Measures shall immediately apply and be in effect until lifted by SRB.

2.3 Drought Response Measures

The SRB Mayor and water services staff shall monitor reports of water supply and demand conditions and, in accordance with the triggering criteria set forth in Section 3.2 of the SRB Water Utilities Drought Contingency Plan, shall determine that a mild, moderate, severe, or emergency condition exists and shall implement the following measures. Drought response measures are in a category for retail customers.

2.3.1 Targets for Water-Use Reductions

The target for all SRB water utility system required to implement their drought contingency plans based on water supply shortage will vary according to the severity and projected duration of the shortage. If the water system receives LCRA surface water, the system targets will follow the drought contingency plan targets adopted for the SRB Water Management Plan.

2.3.2 Retail Customers - Stage Specific Restrictions

(1) Stage 1 - Mild Water Shortage - Voluntary Measures

Supply Management Measures:

Affected SRB water utility system will review system operations and identify ways to improve system efficiency and accountability.

Demand Management Measures:

Water Supply Reduction Target: Achieve a 5% reduction in water use.

- a. Provide consumer information and materials on water conservation measures and practices to retail customers
- b. Request that customers voluntarily comply with the water-use restrictions outlined in Stage 2 of this plan

(2) Stage 2 - Moderate Water Shortage - Mandatory Measures

Supply Management Measures:

In addition to measures implemented in Stage 1 of the plan, the SRB water utility system will:

- a. Apply all water-use restrictions prescribed for Stage 1. Limiting irrigation of landscape watering to twice weekly except for hand held hoses and drip systems. Addresses ending in odd numbers may water on Wednesday and Saturday, even numbered addresses may water on Thursday and Sunday. No automated watering systems may be operated between 10:00 AM to 7:00 PM.
- b. Keep customers informed about issues regarding current and projected water supply and demand conditions.

Demand Management Measures:

Water Supply Reduction Target: Achieve a 10% reduction in water use.

Under threat of penalty as described in Section 4.4, the following water-use restrictions shall apply to all retail water customers:

Irrigation of Landscaped Areas:

- a. Irrigation of landscaped areas with hose-end sprinklers or in-ground irrigation systems shall be limited to a no more than a twice weekly watering schedule as designated by SRB and based on the nature of the current drought or water emergency.
- b. Outdoor watering hours will be limited to between midnight and 10 a.m. and between 7 p.m. and midnight on designated days. This prohibition does not apply to irrigation of landscaped areas if it is by means of:
 - i. Hand-held hose
 - ii. Faucet-filled bucket or water can of five gallons or less
- c. New landscapes may be installed and re-vegetation seeding performed under these specific criteria:
 - i. Irrigation of the new landscape, or application follows the schedule identified in the new landscape permit:
 1. once a day for the first 10 days after installation;
 2. once every other day before 10 a.m. and after 7 p.m. for days 11 through 20 after installation;
 3. once every third day before 10 a.m. and after 7 p.m. for days 21 through 30 after installation.
- d. Discontinue water main and line flushing unless necessary for public health reasons;
and

Vehicle Washing

Use of water to wash any motor vehicle, such as a motorbike, boat, trailer, or airplane is prohibited except on designated watering days between the hours of midnight to 10 a.m. and between 7 p.m. to midnight. Such activity, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle. A vehicle may be washed any time at a commercial car wash facility or commercial service station. Further, this activity is exempt from these regulations if the health, safety, and welfare of the public are served by washing the vehicle, such as a truck used to collect garbage or used to transport food and perishables.

Pools

- a. Filling of all new and existing swimming pools, hot tubs, wading pools, is allowed. Replenishing to maintenance level is permitted. Draining is permitted only onto pervious surfaces or onto a surface where water will be transmitted directly to a pervious surface, and only if:
 - i. Draining excess water from pool due to rain in order to lower water to maintenance level;

- ii. Repairing, maintaining or replacing pool components that have become hazardous; or
 - iii. Repair of a pool leak.
- b. Refilling of public/community swimming pools permitted only if pool has been drained for repairs, maintenance, or replacement as outlined in items above.

Events

Events involving the use of water such as: car washes; festivals; parties; water slides; and other activities involving the use of water are permitted, if the water being used drains to a re-circulating device, or are used for a beneficial purpose such as watering landscaping to prevent water waste.

Restaurants

All restaurants are encouraged to serve water to their patrons only upon request.

Fire Hydrants

Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety and welfare. Use of water from designated fire hydrants for construction purposes may be allowed under special conditions and will require a meter; an application for an exception must be submitted and approved by the Mayor before a hydrant meter will be provided.

Recreational Areas (Includes Parks and Athletic Fields):

The areas can only be used for designated or scheduled events or activities. Unnecessary foot traffic must be discouraged. Watering must follow irrigation of landscaped areas schedule. An exception can be applied for if necessary.

(3) **Stage 3 - Severe Water Shortage – Additional Mandatory Measures**

Supply Management Measures:

In addition to measures implemented in the preceding stages of the plan, the SRB water utility system will implement additional water control options to limit water to only critical use for protection of health and safety and maintenance of treatment quality.

Demand Management Measures:

Water Supply Reduction Target: Achieve a minimum 20% reduction in water use.

Under threat of penalty as described in Section 3.4, all retail customers are required to further reduce non-essential water uses as follows. All requirements of Stage 2 shall remain in effect during Stage 3, with the following modifications and additions:

Irrigation of Landscaped Areas

- a. Irrigation of landscaped areas is limited to once a week on designated day, except with hand-held hoses, hand-held buckets, or drip irrigation. The use of hose-end sprinklers or in-ground irrigation systems are limited to Saturday for odd numbered addresses and Sunday for even numbered addresses using the same watering time restrictions in previous stage 2.
 - ii. New landscapes may be installed after an exception request for new landscapes or re-vegetation has been submitted to the building inspector for consideration and possible approval by the Mayor; and
 - iii. Irrigation of the new landscape, or application follows the schedule identified in the new landscape exception:
 1. once a day for the first 10 days after installation;
 2. once every other day before 10 a.m. and after 7 p.m. for days 11 through 20 after installation;
 3. once every third day before 10 a.m. and after 7 p.m. for days 21 through 30 after installation.
 - iv. Exceptions for new landscapes and re-vegetation will be issued for the shortest period necessary to reasonably assure the landscapes survival. An exception is not an exemption from compliance with the permanent water use restrictions under section 4.1 of this plan. Exceptions will not be granted for seasonal “color bed” or temporary grass installation (over seeding).

Vehicle Washing

Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited except on designated watering days. A vehicle can be washed at any time at a commercial car wash facility or commercial service station.

Outside Water Features

Operation of outside water features, such as, but not limited to, fountains or outdoor misting systems, is prohibited, except where such features are designed and consistently maintained to sustain aquatic life or maintain water quality. SRB may require proof of such design and consistent maintenance.

Ponds

Ponds used for aesthetic, amenity, and/or storm water purposes may maintain water levels only necessary to preserve the integrity of the liner and operating system. SRB may require proof of specific design documentation regarding a pond and the intended purpose.

Pools

- a. Filling of all new and existing swimming pools, hot tubs, wading pools, is prohibited. Replenishing to maintenance level is permitted. Draining is permitted only onto

pervious surfaces or into a surface where water will be transmitted directly to a pervious surface, and only if:

- i. Draining excess water from pool due to rain in order to lower water to maintenance level;
 - ii. Repairing, maintaining or replacing pool components that have become hazardous; or
 - iii. Repair of a pool leak.
- b. Refilling of public/community swimming pools permitted only if pool has been drained for repairs, maintenance, or replacement as outlined in items above.

Operation of splash pad type fountains is prohibited.

Events

Events involving the use of water such as: car washed, festivals; parties; water slides; and other activities involving the use of water are prohibited.

Water Waste

The following uses of water are prohibited at all times during periods in which restrictions have gone into effect unless an exception has been approved:

- a. Washing sidewalks, walkways, driveways, parking lots, street, tennis courts, and other impervious outdoor surfaces; except for immediate health and safety;
- b. Washing buildings, houses or structures with a pressure washer or garden hose is prohibited for aesthetic purposes but permitted for surface preparation of maintenance work to be performed.
- c. Controlling dust, unless there is a demonstrated need to do so for reasons of public health and safety, or as part of a construction plan approved by a governmental entity;
- d. Flushing house gutters or allowing a substantial amount of water to run off a property and accumulate in a gutter, street, or parking lot to a depth greater than one-fourth of an inch.

Recreational Areas (Includes Parks and Athletic Fields)

The areas can only be used for designated or scheduled events or activities. Unnecessary foot traffic must be discouraged. Watering is prohibited except with a hand-held hose.

(4) **Stage 4 - Emergency Measures**

Targets for Water-Use Reductions:

Water Supply Reduction Target: As determined by the SRB City Council.

Under threat of penalty violation as described in Section 4.4, customers are required to eliminate non-essential water uses during an emergency. This includes, but is not limited to the following measures:

- a. Irrigation of landscaped areas is prohibited.
- b. Installation of swimming pools is prohibited. The filling or replenishing of water to swimming pools, hot tubs, wading pools, and other types of pools is prohibited. Public/community swimming pools may be exempt from this prohibition to maintain safe levels of water quality for human contact.
- c. Vehicle Washing. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited. A vehicle can be washed at any time at a commercial car wash facility or commercial service station. Further, this activity is exempt from these regulations if the health, safety, and welfare of the public are served by washing the vehicle, such as a truck used to collect garbage or used to transport food and perishables.
- d. Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety, and welfare only.

Stage 5 – Emergency Water Conditions. No Outdoor Watering

All measures listed in Stage 4 apply.

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

Additional measures may be added as needed.

3.0 Drought Contingency Plan Administration

3.1 Notification Requirements

SRB Water System shall notify LCRA General Manager in writing within five (5) business days of the implementation of any mandatory provisions of the Drought Contingency Plan.

3.2 Public Notification

SRB will periodically provide information about the drought contingency components of this plan, including (1) the conditions under which each stage of the plan is to be initiated or terminated, and (2) the drought response measures to be implemented at each stage. This information will be provided by various means depending on the audience, including articles in the local media and special materials mailed to customers and available at the SRB city hall. Notices of Water Restriction Stages will be posted on signs at the entrance of the city, changes noted on city hall notice board and “blue notice” boards as well as placed on the city web site.

3.3 Implementation

The Mayor has the authority to enforce or change the enacted Stage of Drought Response Measures as reflected in the body of this document. LCRA directives for firm water customer curtailments will serve as a guide for Stage determination.

3.4 Ordinance Interpretation

In the interpretation and application of the terms and provisions of this Ordinance, the following regulations shall govern:

a. Liberally Construed. In the City's Interpretation and application, the provisions of this Ordinance shall be regarded as minimum requirements for the protection of the public health, safety, comfort, convenience, prosperity and welfare. This ordinance shall be regarded as remedial and shall be liberally construed to further its underlying purposes.

b. Resolution of Conflicting Interpretations. Where there arises a question concerning the meaning or intent of a provision of this Ordinance, a written decision setting forth the manner in which said provision shall be interpreted and administered is encouraged. In the event exception is taken by any interested party to such a decision the matter may be appealed to the City Council whose decision shall be final.

c. Written Decisions Binding. Any final written decision made as provided in subsection b above shall be archived and shall govern interpretation of this Ordinance until such time as an amendment of this Ordinance shall nullify such decision, or the decision is over-ruled or rescinded by the City Council.

d. Exceptions. The Mayor will have the final authority for granting of exceptions to restrictions listed in the various stages of the drought management plan. The review of request for exceptions for water usage will be submitted through the Code Compliance Officer. The Mayor Pro Tem will have approval authority in the absence of the Mayor.

The SRB Mayor or designee will review petitions for exceptions. The petitions shall include the following:

1. Name and address of the petitioner
2. Purpose of water use
3. Specific provision 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 the petitioner or others will sustain if petitioner complies with this plan
5. Description of the relief requested
6. Period of time for which the exception 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

Exceptions shall be subject to the following conditions, unless waived or modified by the SRB Mayor, or designee:

- i. Exceptions granted shall include a timetable for compliance.
- ii. Exceptions granted shall expire when the plan, or its requirements, is no longer in effect, unless the petitioner has failed to meet specified requirements.

No exception shall be retroactive or otherwise excuse any violation occurring before the exception was issued.

e. **Severability.** If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

3.5 Enforcement

The Code Compliance Official and/or the Mayor shall enforce this Ordinance by appropriate administrative action including but not limited to notifying LCRA of violations using raw lake water, rejection of plans and specifications not found to be in compliance with this Ordinance and the issuance of stop work orders:

- a. No person shall knowingly or intentionally allow the use of water from an SRB water utility system 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.
- b. Persons pumping raw water from Lake LBJ that are not in compliance with LCRA drought restrictions will be provided a warning letter if identified by a city official and continued violation will be submitted to LCRA for action.
- c. Police, citizens and elected officials observing violations will report same to the City Code Compliance Official for action.

3.6 . Penalty. Any person violating any of the provisions of this Ordinance or failing to comply therewith or with any requirements thereof, will be subject to a fine of up to \$2000 each day a violation continues. A suggested graduated scale follows:

- a. Following the first documented violation, the violator shall be given a notice specifying the type of violation and the date and time it was observed.
- b. Following the second documented violation, the violator shall be sent by certified mail a notice of violation and shall be assessed a fine of \$200;
- c. Following the third documented violation, the violator shall be sent by certified mail a notice of violation and shall be assessed a fine of \$700;
- d. Following the fourth documented violation, SRB mayor or his designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge, hereby established at \$1000, and any other costs incurred by the SRB water utility system in discontinuing service, and any outstanding charges including late payment fees or penalties. In addition, suitable assurance in the amount of a deposit of \$500 must be given to the Water Services executive manager, or his designee, that the same action shall not be repeated while the plan is in effect. The Water Services executive manager, or his designee, may apply the

deposit to any surcharge or penalties subsequently assessed under this plan against a customer. Any remaining amount of such deposit, if any, shall be returned to the customer at the time of the customer's voluntary disconnection from the utility system.

i. Compliance with this plan also may be sought through injunctive relief in district court.

ii. Each day that one or more of the provisions in this plan is violated shall constitute a separate violation. Any person, including one classified as a water customer of the SRB water utility system, in apparent control of the property where a violation occurs or originates, shall be presumed to be the violator. Any such person, however, shall have the right to show that he did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children. Table 3-2 shows a diagram of the drought response enforcement process.

Table 3-2 Drought Response Enforcement Process

	<u>Witnessed Violation (type of violation date and time)</u>
First documented violation	Sited for violation via warning letter
Second documented violation	Issue Fine No. 1 - \$200
Third documented violation	Issue Fine No. 2 - \$700
Fourth documented Violation	Cut off Service - \$1,000 Reconnection Fee and \$500 Deposit Required

3.7 Exceptions

- a. The SRB Mayor, or designee, may grant exceptions:
- i. From specific applications of the outdoor water schedule, providing that the exceptions do not increase the time allowed for watering but rather alter the schedule for watering; and,
 - ii. Allowing the use of alternative water sources that do not increase demand on potable water sources for outdoor use. Exception requests may be

submitted () the Code Compliance Official and () need not meet the requirements of subsection (b) below.

- b. The SRB Mayor, or designee, may grant in writing temporary exceptions for existing water uses otherwise prohibited under this plan if it is determined that failure to do so would cause an emergency adversely affecting the public health, sanitation, or fire protection, and if one or more of the following conditions are met:
 - i. Compliance with this plan cannot be accomplished during the duration of the time the plan is in effect, or
 - iii. Alternative methods can be implemented that will achieve the same level of reduction in water use.

**CITY OF SUNRISE BEACH
VILLAGE, TEXAS**

APPROVED:

ATTEST:



Patricia E. Frain, Mayor



Linda A. Wendling, City Secretary

APPROVED:



Paige Saenz, City Attorney
Knight & Partners



Appendix A
Adherence to TCEQ Chapter 288 Rules

Texas Commission on Environmental Quality
Chapter 288 Rules

As a municipal water supplier, the minimum requirements in the Texas Administrative Code for drought contingency plans for municipal uses by public water suppliers are covered in this plan as follows:

- 288.20 (a)(1)(A) – Public Input – Section 1.2
- 288.20 (a)(1)(B) – Continuing Public Education – Section 4.4
- 288.20 (a)(1)(C) – Coordination with Regional Water Planning Group(s) – Section 1.4
- 288.20 (a)(1)(D) – Monitoring and Criteria for the Initiation and Termination of Drought Response Stages – Section 5.2
- 288.20 (a)(1)(E) – Emergency Response Stages – Section 5.3
- 288.20 (a)(1)(F) – Water Use Reduction Targets – Section 5.3
- 288.20 (a)(1)(G) – Water Supply or Water Demand Management Measures – Section 5.3
- 288.20 (a)(1)(H) – Procedures for the Initiation or Termination of Drought Stages and Public Notification – Section 5.2,5.3,5.4.1
- 288.20 (a)(1)(I) – Variances Procedures – Section 5.4.4
- 288.20 (a)(1)(J) – Enforcement of Mandatory Water Use Restrictions – Section 5.4.2, 5.4.3

Appendix B
City of Sunrise Beach Resolution Approving the Application for Raw Water

City of Sunrise Beach Water Utilities
WCP/DCP
RESOLUTION NO: 228

CITY OF SUNRISE BEACH VILLAGE, TEXAS
RESOLUTION PERTAINING TO EXECUTION OF A FIRM RAW WATER
CONTRACT BETWEEN THE CITY OF SUNRISE BEACH VILLAGE AND
THE LOWER COLORADO RIVER AUTHORITY

WHEREAS, the City of Sunrise Beach Village (the "City") is purchasing the Sunrise Beach Water System (SBWS) and wishes to ensure that sufficient raw surface water would be available in the event that the current ground water system may become insufficient or inoperable;

WHEREAS, the Lower Colorado River Authority (the "LCRA") has been given the authority by the State of Texas to regulate and sell raw water if it is determined that sufficient quantity is available at the time the contract is negotiated;

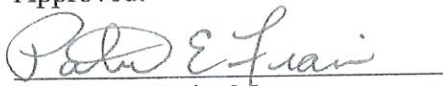
WHEREAS, in the Memorandum of Understanding (MOU) and the Contract for Purchase agreement both parties agreed to commit to a Raw Water Contract to address future needs of the SBWS;

WHEREAS, the City has prepared a proposed contract for the reservation of 200 acre feet of raw surface water to be submitted to the LCRA for possible action; and

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Sunrise Beach Village, Texas, formally approves the "Firm Raw Water Contract" proposal for reservation of up to 200 acre feet of raw surface water (Attachment 1) and hereby authorizes Ms. Patricia Frain, Mayor, a duly elected official of the City of Sunrise Beach Village, to execute same on behalf of the City of Sunrise Beach Village.

PASSED, APPROVED, AND ADOPTED this 9th day of August, 2011, in a meeting of The City Council of the City of Sunrise Beach Village, Texas, duly convened and acting in its capacity as governing body of the City.

Approved:



Patricia E. Frain, Mayor

STATE OF TEXAS
CITY OF SUNRISE BEACH VILLAGE
COUNTY OF LLANO, TEXAS

I, Linda A. Wendling City/Secretary of the City of Sunrise Beach
Linda Wendling

Village, do hereby certify that the above and foregoing is a true and correct copy of a Resolution made and entered by the City Council in a special session, on the 9th day of



WATER CONTRACT APPLICATION
and
GENERAL INFORMATION FORM

A customer who is a natural person may request that his or her address, phone number and social security number be kept confidential, unless required or mandated by law.

- Yes (request for confidentiality)
- No (do not request confidentiality)

Applicant City of Sunrise Beach Village

Address 124 Sunrise Drive

City Sunrise Beach State TX
Zip 78643

Phone(325) 388-6438 Fax(325)388-6473

E-mailAddress: srbmayor@cityofsunrisebeach.org; syblou@nctv.com; bmrphy@nctv.com

1. On a separate page please list the names, business addresses and telephone numbers of the following (as applicable): See Attachment 1 (MS Word Doc: Attachment 1 List of Officials)
 - a. Officers, Directors, or Partners of above entity
 - b. Engineer for above entity
 - c. Attorney for above entity
 - d. Plant operations staff

2. This application is for one of the following uses of water (check only one):
 - Municipal (potable water uses)
 - Industrial
 - Agricultural
 - Irrigation (including golf course or landscape irrigation)
 - Recreational (including amenity ponds)

3. On a separate page, please provide an estimate of the amount of water which will be needed per year, the "Maximum Annual Quantity" (MAQ amount should be rounded to the next whole number), throughout the term of the proposed contract. The estimate of the Maximum Annual Quantity should include:
 - a. A demand or use schedule that estimates your annual water usage, and any increases to it over time, of the water to be supplied under the proposed contract (the "Demand Schedule"); See Figure One and Figure Two (PDF files - Figure One - SBWS PROJECTED LUE's (1); Figure TWO - SBWS PROJECTED WATER DEMAND)

- b. A detailed description of how you determined the amount necessary for the proposed contract, including consideration of the beneficial use of the water without waste and the full implementation of your proposed water conservation plan; The amount necessary was determined by applying an average use per LUE of 5000 gallons per month which is typical for Sunrise Beach residents toward the 2030 projection of LUE's. Assuming that demand would remain flat for an average user (as discussed in the WCP/DCP for Sunrise Beach) the MAQ required would then be 200 acre feet per year.
- c. If water will be diverted upstream or downstream of the Highland Lakes, an estimate, prepared and sealed by a Texas-registered professional engineer, of conveyance, delivery or system losses that are expected to be incurred to deliver the amount of water requested to the Point of Diversion under the contract; N.A.
- d. For a proposed contract for water upstream of any of the Highland Lakes, or water from a tributary of the Colorado River downstream of the Highland Lakes, a technical analysis performed and sealed by a Texas-registered professional engineer, of the potential maximum impact of the proposed contract on LCRA's Combined Firm Yield of Lakes Buchanan and Travis, or any other senior downstream water rights that the LCRA staff may designate. Applicant also shall include such estimates in your application to the Texas Commission on Environmental Quality for any Permit to Use State Water necessary to use the water sought in the proposed contract request; N.A. and,
- e. If you have an alternate source of water supply from which you also will be diverting from the same facilities used to divert water under the requested contract, please provide a proposed accounting plan setting forth how you intend to account for and report water used from the various sources of supply N.A.

4. Water will be pumped from Lake LBJ (water source) in Llano County.

Will water be pumped and delivered to you by an entity other than you?

No

If yes, please indicate that entity to us.
N.A.

Are you seeking utility delivery or treatment services from LCRA for water to be available under the proposed contract? If so, please describe the services you seek:

No

5. Water will be used within a service area which consists of a total of 1112 acres of land (Water CCN 11670) in Llano County. If this application is being submitted on behalf of a corporation, partnership or joint venture, please enclose with the application documentation showing the applicant's legal rights with regard to the

property included in the service area (e.g., deed, lease, certificate of convenience and necessity, or water service agreement with property owner).

6. The following exhibits must be included with this application (please provide 4 copies of each exhibit):

"Exhibit A" - Map showing the point of diversion from the Colorado River and any points of discharge of return flows, as applicable, with said points referenced to an original county survey corner by bearing and distance. See Exhibit A (PDF – Proposed Surface Water Facilities)

"Exhibit B" - Map showing the location of subject service area. A 7½ minute USGS Quadrangle map is suggested. See Exhibit A

"Exhibit C" - Recent survey or legal description of subject property service area, including boundary map. See Exhibit A

"Exhibit D" - Conservation plan. See Exhibit D (SRB Water Utilities Conservation WCP DCP)

"Exhibit E" - Drought Contingency plan. See Exhibit D (SRB Water Utilities Conservation WCP DCP)

See "*Lower Colorado River Authority Water Contract Rules*" for further details concerning required exhibits.

7. On a separate page, please provide the following information (as applicable):
- a. Development Status and Schedule.

Development of a surface water treating facility could take place in the future and the need for this would depend on the status of the wells currently used for water supply. SRB is prepared to pay for the right to reserve water from Lake LBJ should that become necessary in the future. See Attachment 2. (MS Word Doc – Example Schedule)

- b. Preliminary drawings which locate plant's intake, intake lines, and master meter.

As shown on Exhibit A the proposed location for Plant's intake is located in the City owned Lakeshore Park on the south end of East Lakeshore Blvd. Intake lines from this point would progress through the park and along City ROW to the City owned lot at the intersection of Airview and East Lakeshore. A pumping station and master meter could be located here or in the park. From this lot the intake line would cross the City owned Airport to the existing treatment plant.

- c. Plan for treatment of wastewater or waste disposal and the estimated amount and location of return flows from water provided under the proposed contract.

Since all of SRB is on septic for treatment of wastewater, there would be no return line.

8. The proposed contract may be limited to the following term:

	Maximum	Minimum
(i) Temporary Contracts	3 years	30 days
(ii) Firm Contracts (Municipal or Industrial)	<u>40 years</u>	5 years
(iii) Firm Contracts (other than Municipal or Industrial)	10 years	1 year
(iv) Interruptible Water Supply Contracts	10 years	1 year

Will you seek a renewal or amendment of the proposed contract that would extend beyond the term listed above? Yes

9. Enclose an application fee in accordance with the following schedule. Please make any checks payable to "Lower Colorado River Authority".

Standard Application

\$1,000

Application to for Substantive Amendment to an Existing Contract

\$600

Application for Non Substantive Amendment to Existing Contract

\$150

Minimum for Non-Standard Application

\$2,000*

* In the event that LCRA determines that the application fee filed with an application for a non-standard contract is not sufficient to cover the costs of LCRA staff evaluating the technical information provided by the Applicant, LCRA may require additional funds be deposited with LCRA to cover such costs. Alternatively, LCRA may negotiate an agreement with you to allow for such evaluation to take place by a third party chosen by LCRA at your expense.

10. Please be aware that you will be required to provide notice to the public of the proposed contract in accordance with Section 4.4 of the "Lower Colorado River Authority Water Contract Rules", if your proposed contract will be for a Maximum Annual Quantity greater than 500 acre-feet per year.

I have read and understand all of the provisions contained in the "Lower Colorado River Authority Water Contract", as well as the "Lower Colorado River Authority Water Contract Rules", and hereby request the Lower Colorado River Authority to consider my application to enter into the most current standard form water contract. All of the above information is, to the best of my knowledge, known to be correct and accurate as of the date recorded below and such information may be used to complete the necessary documents for the requested water contract.

Signature Date Title

THE STATE OF TEXAS §

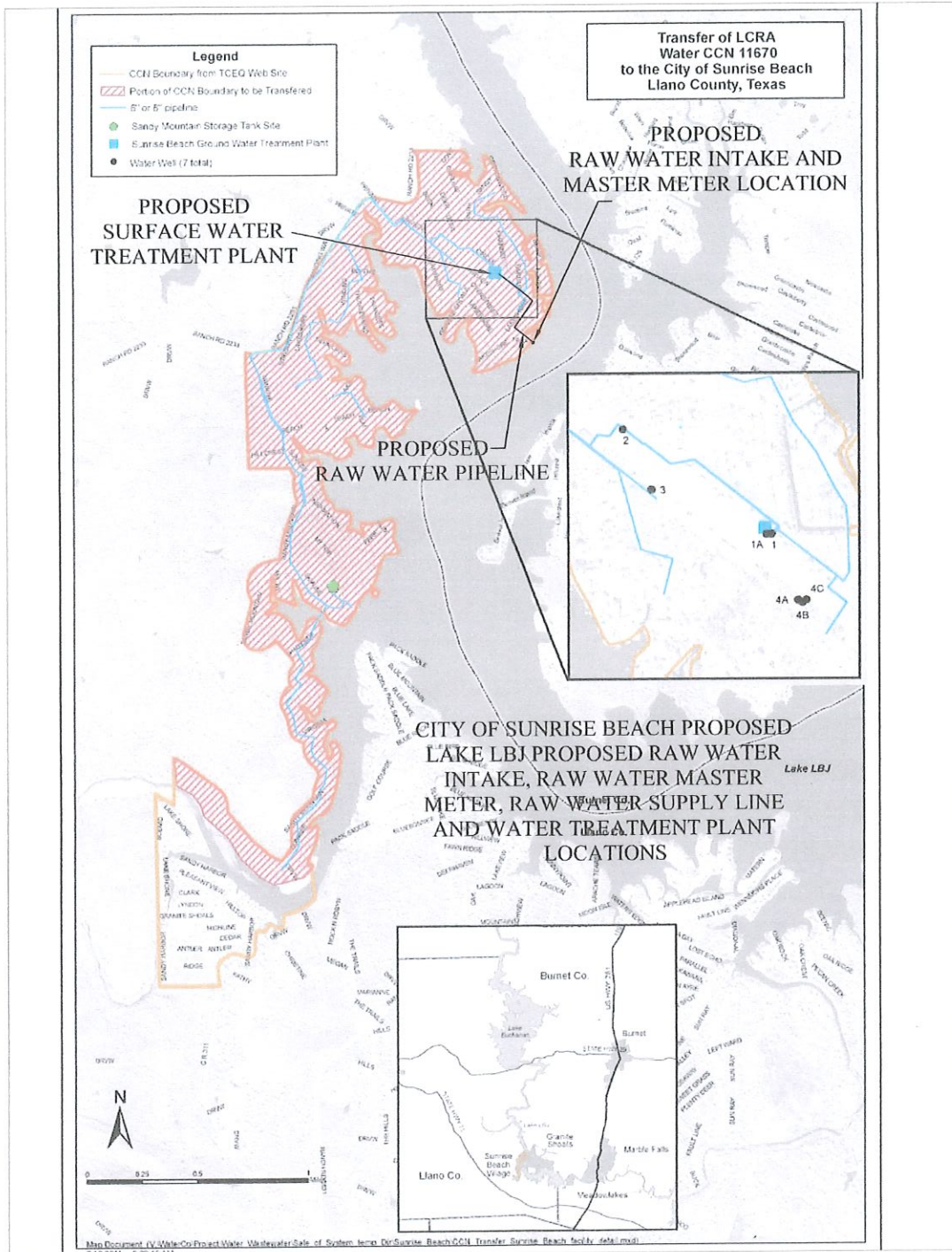
COUNTY OF _____ §

This instrument was acknowledged before me this ____ day of _____, 20__, by _____ [name], _____ [title] of _____

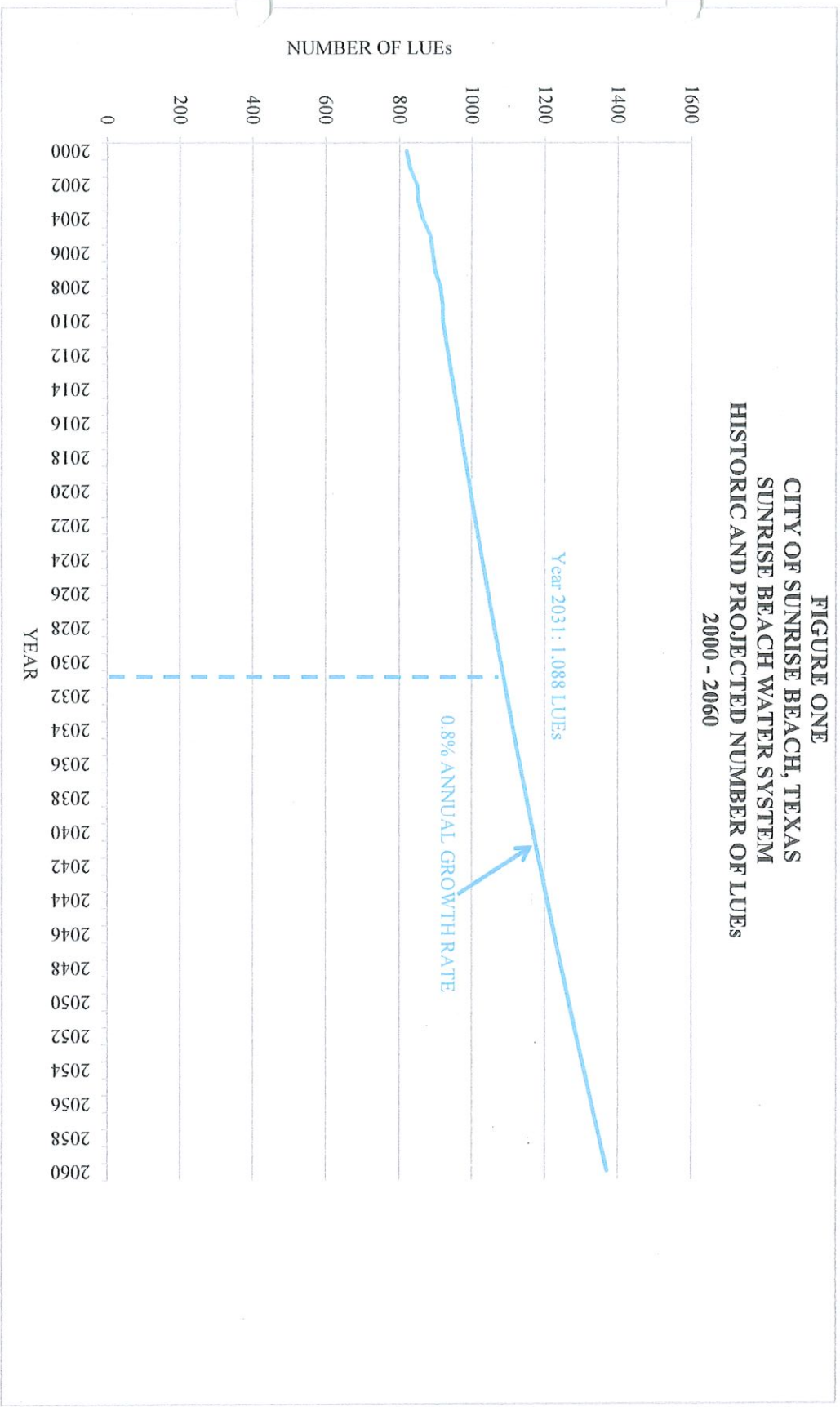
(SEAL)

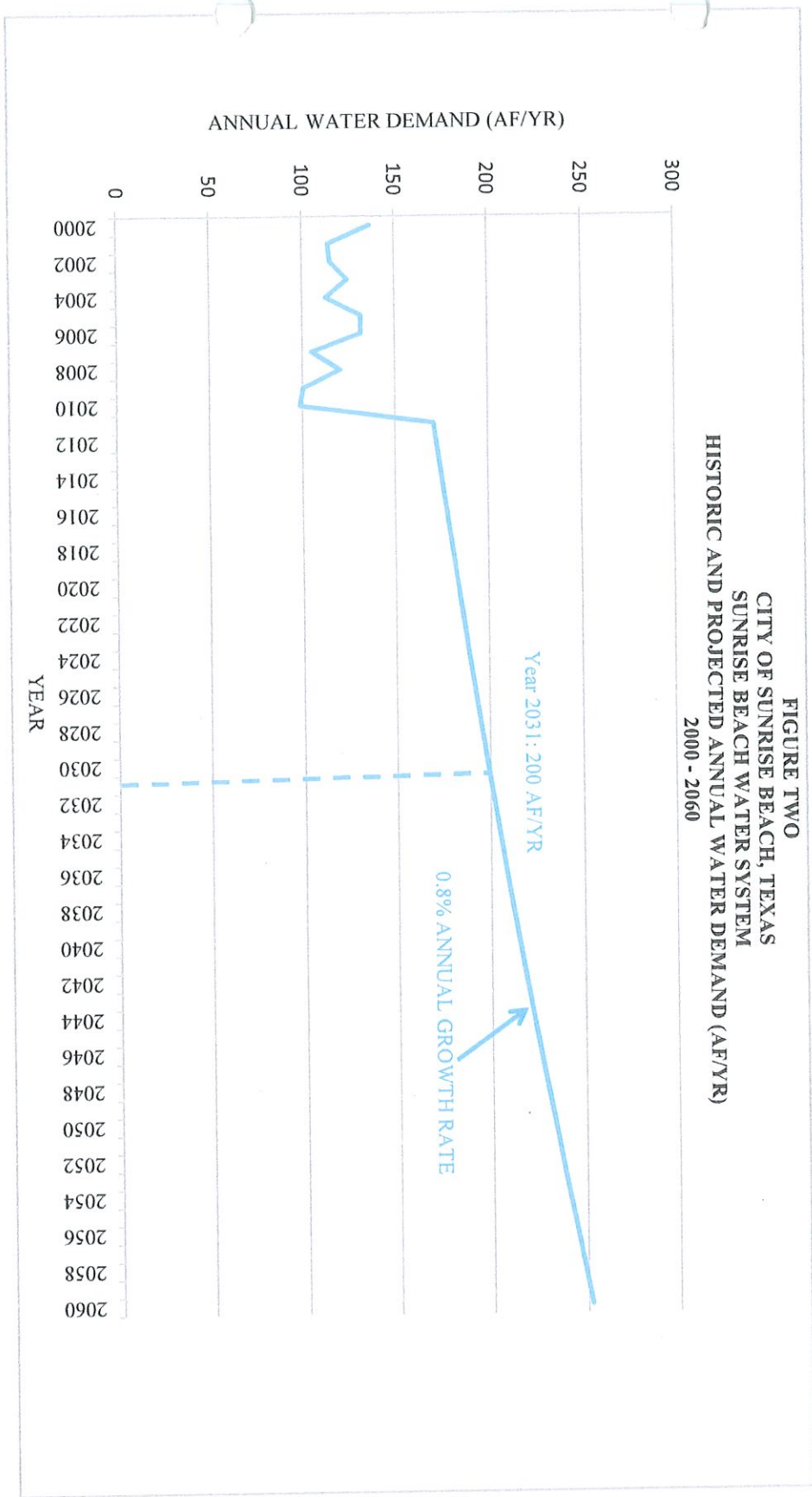
Notary Public Signature

Appendix C SRB Utility Systems Map and Descriptions



Appendix D
Figures 1 and 2 System LUE's and Annual Water Demand





Appendix E
SRB Baseline Water Use and Water Loss

SRB Water Use and Water Loss

	2006	2007	2008	2009	2010	2011	08 thru 11 Average	2030
Yearly Water use	42988000	34274000	39342000	36763030	32065427	36456220		58680000
Daily Water use	117775	93901	107786	100721	87850	81902		160767
Connections	879	871	883	919	920	921		1088
Population	1987	1969	1996	2077	2080	2082		3591
GPCD	59	48	54	48	42	39	46	45
Treated	42988000	34274000	39342000	36763030	32065427	36456220		65200000
Billed	35714017	28126377	31839081	30145685	26293650	29894100		58680000
Unbilled	7273983	6147623	7502919	6617345	5771777	6562120		6520000
% Water Loss	0.17	0.18	0.19	0.18	0.18	0.18		0.10

*Persons per household number from the 2004 LCRA Customer Survey.

%Loss in 09,10,11 based on average from 06 thru 08

emailed
4-1-14
-LAW

Llano News
P.O. Box 187
Llano, Texas 78643
Fax-247-3338
Email: llanoclassified@yahoo.com

Date: April 1, 2014

Dear Editor,

Please print the following notice in the Public Notice section of the next issue of the Llano News for one run.

On March 27, 2014 the City Council of the City of Sunrise Beach passed Ordinance No. 324, an ordinance which replaces sections of the water conservation drought contingency plan previously adopted as Resolution 232. Changes include but are not limited to restrictions in each drought stage, enforcement and provides for related matters and penalty.

Please include a Publishers Affidavit with billing to:
The City of Sunrise Beach
124 Sunrise Drive
Sunrise Beach, Texas 78643.

If you have any questions, please contact me at 325-388-6438 from 8:30-12:30 or 1:30 to 4:00.

Thank You,

/s/ Linda A. Wendling
City Secretary
City of Sunrise Beach
Llano County, Texas