

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 005-056

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN BY AMENDING CHAPTER 34, (ENVIRONMENT), ARTICLE V, (DROUGHT CONTINGENCY PLAN) OF THE CODE OF ORDINANCES (THE "CODE") OF THE TOWN OF ADDISON, TEXAS (THE "CITY") IS AMENDED BY AMENDING SECTION 34-173 AND SECTION 34-177 IN ORDER TO AMEND THE CITY'S DROUGHT CONTINGENCY PLAN.

WHEREAS, the Town of Addison, Texas (the "City") desires to amend the City's drought contingency plan, contained in Article V of the Chapter 34 of the City's Code of Ordinances in order to comply with new rules adopted by the Texas Commission on Environmental Quality.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:


Section 1. Amendment. Chapter 34 (Environment), Article V (Drought Contingency Plan) of the Code of Ordinances (the "Code") of the Town of Addison, Texas (the "City") is amended by amending Section 34-173 and Section 34-177 thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, paragraphs, sentences, phrases and words of the Code are not amended but are hereby ratified and affirmed.

Section 2. Savings. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

Section 3. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed such remaining portion of this Ordinance despite such invalidity, which remaining portion shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this 25th day of October, 2005.



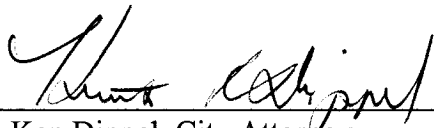
Joe Chow, Mayor

ATTEST:

By: 

Carmen Moran, City Secretary

APPROVED AS TO FORM:

By: 

Ken Dippel, City Attorney

EXHIBIT A

Amendments to Chapter 34, Article V, Code of Ordinances

Section 34-173 of the Code of Ordinances is amended to read as follows:

Section 34-173. Coordination with regional water planning groups.

The service area of the city is located within Texas Commission on Environmental Quality ("TCEQ") Region C and the Town of Addison, Texas has provided a copy of this plan to the TCEQ, City of Dallas, and State Planning Region.

Section 34-177 of the Code of Ordinances is amended to read as follows:

Section 34-177. Triggering criteria for initiation and termination of drought response stages.

The city purchases 100 percent of its potable water from the City of Dallas. Therefore, the emergency water management triggering measures will be the same as those of the City of Dallas. Also, triggering criteria may be initiated as a result of short term deficiencies and or emergencies specific to the Town of Addison.

Following are the triggering criteria for initiation and termination of drought response stages:

Stage 1: Water Awareness

Triggering criteria: Total raw water supply in connected lakes drops below 55 percent of total conservation storage, demand exceeds 90 percent of deliverable capacity for three consecutive days, or short term deficiencies in distribution system limit supply capability.

Below are examples of the types of triggering criteria that might be used in a drought contingency plan. One or a combination of such criteria may be defined for each drought response stage:

Example 1: When, pursuant to requirements specified in the city wholesale water purchase contract with the City of Dallas, notification is received requesting initiation of Stage 1 of the drought contingency plan.

Example 2: Continually falling treated water reservoir levels which do not refill above 50 percent overnight (e.g., based on an evaluation of minimum treated water storage required to avoid system outage).

Goal for Use Reduction and Action Available under Stage 1, Water Awareness.

Stage 1, Awareness, is intended to raise public awareness of potential drought problems. There is no goal for reduction of water use. The City Manager or the official designee may order the implementation of any of the actions listed below, as deemed necessary:

- The city manager or designee requests voluntary reductions in water use.
- Prohibit residential or commercial lawn watering and car washing between the hours of 9 a.m. and 8 p.m.
- Accelerate public information efforts to teach and encourage reduced water use.
- Staff will begin a review of the problems which initiated the Stage 1 actions.
- Intensify efforts on leak detection and repair.
- Notify major water users and work with them to achieve voluntary water use reduction.
- Reduce city government use of water for street washing, vehicle washing, operation of ornamental fountains and all other nonessential use.
- Request a reduction in landscape watering by city government

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 1 have been alleviated. If Stage 1 is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered, or until the Director of Dallas Water Utilities determines that these measures are no longer required.

Stage 2: Water Watch

Triggering criteria: Total raw water supply in connected lakes drops below 50 percent of total conservation storage or demand exceeds 95 percent of deliverable capacity for two consecutive days. Stage 2 actions will not ordinarily be taken until Stage 1 actions have first been implemented.

Goals for Reduction and Actions Available under Stage 2, Water Watch

The goal for water use reduction under stage 2, Water Watch, is a ten percent reduction in the use that would have occurred in the absence of drought contingency measures. The City Manager or the official designee may order the implementation of any of the actions listed below, as deemed necessary:

- Continue public information efforts regarding water supply conditions and conservation efforts.
- Begin mandatory water use restrictions as follows:
 - Prohibit hosing off of paved areas, buildings or windows; operation of swimming pool draining followed by refilling, washing or rinsing vehicles by hose; using water in such a manner as to allow runoff or other water wastes.

Exceptions: Vehicles may be washed or rinsed with a hose at commercial car washes; vehicles may be washed at any location with a bucket or other container.

- Limit landscape watering at each service address to once every five days based on the last digit of the address per the schedule below.

TABLE INSET:

Last Digit of Address	Allowed Water Dates
0 and 5	5th, 10th, 15th, 20th, 25th, 30th
1 and 6	1st, 6th, 11th, 16th, 21st, 26th
2 and 7	2nd, 7th, 12th, 17th, 22nd, 27th
3 and 8	3rd, 8th, 13th, 18th, 23rd, 28th
4 and 9	4th, 9th, 14th, 19th, 24th, 29th

No watering will be allowed on the 31st. Apartments, office building complexes or other property containing multiple addresses will be identified by the lowest address number.

Where there are no numbers, a number will be assigned by the director. These restrictions also apply to government facilities.

Exceptions: Foundations, azaleas, and new plantings (first year) of trees and shrubs may be watered with a hand-held or soaker hose on any day for up to two hours; nurseries may water plant stock only without restrictions; public gardens may water without restriction.

Enforcement: Violations of restrictions will result in a warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 2 have been alleviated. If Stage 2 is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered, or until the Director of Dallas Water Utilities determines that conditions exist which will allow removal of Stage 2 actions.

Stage 3: Water Warning

Triggering criteria: Total raw water supply in connected lakes drops below 35 percent of total conservation storage or demand exceeds 95 percent of deliverable capacity for five consecutive days. Stage 3 actions will not ordinarily be taken until Stage 2 actions have first been implemented.

Goals for Reduction and Actions Available under Stage 3, Water Warning.

The goal for water use reduction under stage 3, Water Warning, is a twenty percent reduction in the use that would have occurred in the absence of drought contingency measures. The City Manager or the official designee may order the implementation of any of the actions listed below, as deemed necessary:

- Implement and recommend engineering alternatives.
- Continue implementation of all restrictions from previous stages.
- Foundations, shrubs, and trees may be watered with soaker or hand-held hose on the same five-day rotational basis and landscapes for up to two hours.
- Public gardens may water only between the hours of 9 p.m. and 9 a.m.
- Nurseries may water plant stock only between the hours of 9 p.m. and 9 a.m.
- Prohibit operations of ornamental fountains.

Enforcement: Violations of restrictions will result in a warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 3 have been alleviated. If Stage 3 is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered, or until the Director of Dallas Water Utilities determines that conditions exist which will allow removal of Stage 3 actions.

Stage 4: Water Emergency

Triggering criteria: Total raw water supply in connected lakes drops below 20 percent of total conservation storage or demand exceeds 100 percent of deliverable capacity for two consecutive days. Stage 4 actions will not ordinarily be taken until Stage 3 actions have first been implemented.

Goals for Reduction and Actions Available under Stage 4, Water Emergency:

The goal for water use reduction under stage 4, Water Emergency, is a twenty-five percent reduction in the use that would have occurred in the absence of drought contingency measures. If circumstances warrant or if required by Dallas Water Utilities ("DWU"), City Manager or the official designee can set a goal for a greater water use reduction.

The City Manager or the official designee must implement any action(s) required by DWU. In addition, the City Manager or the official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The supplier must notify TCEQ within five business days if these measures are implemented:

- Continue implementation of all restrictions from previous stages.
- Prohibit all commercial and residential landscape watering with the following exceptions:
 - Nurseries' plant stock may be watered between the hours of 9 p.m. and 9 a.m. once every five days based on the last digit of their address per the schedule in Stage 2.
 - Public gardens may water between the hours of 9 p.m. and 9 a.m. once every five days based on the last digit of their address per the schedule in Stage 2.
 - Foundations may be watered for a two hour period between the hours of 9 p.m. and 9 a.m. with a soaker or hand-held hose on the five-day rotational basis prescribed for landscape watering in Stage 2.
- Any and all washing of vehicles is prohibited.
- All commercial water users may be required to reduce water consumption by a percentage determined by the director.

Enforcement: Violations of restrictions will result in a warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 4 have been alleviated. If Stage 4 is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered, or until the Director of Dallas Water Utilities determines that conditions exist which will allow removal of Stage 4 actions.

Stage 5: Emergency Water Shortage

- (a) System outage due to major water system components.

Triggering criteria: A system outage to one of the town's two water pump stations, which are located at each end of town. In the event of such outage, the second pump station will be used. In addition, the Town of Addison has four City of Dallas emergency stand-by meters connected to the town's distribution system that can be used to supplement the town's supply after notification to the City of Dallas.

Goals for Reduction and Actions Available under Stage 5, Emergency Water Shortage:

The goal for water use reduction under stage 5, Emergency Water Shortage, is a reduction to prevent public health emergencies that would have occurred in the absence of drought contingency measures. If circumstances warrant or if required by Dallas Water Utilities ("DWU"), City Manager or the official designee can set a goal for a greater water use reduction.

The City Manager or the official designee must implement any action(s) required by DWU. In addition, the City Manager or the official designee may order the implementation of any of the actions listed below, as deemed necessary. Measures described as "requires notification to TCEQ" impose mandatory requirements on member cities and customers. The supplier must notify TCEQ within five business days if these measures are implemented:

- Initiate or continue implementation of all restrictions from previous stages as directed by the city manager or his designee.
- Prohibit all commercial and residential landscape watering. All commercial water users will be required to reduce water consumption by a percentage determined by the city manager or his designee.

- (b) Supply source contamination special precautions.

Triggering criteria: Water system contamination caused by low distribution pressures (below 20 psi), repeated unacceptable microbiological samples, or failure to maintain adequate chlorine residuals. In the event of such contamination, the affected area shall be isolated from the distribution system immediately and special precautions shall be taken in accordance with Subsection (q), "Special Precautions," of Section 290.46, "Minimum Acceptable Operating Practices for Public Drinking Water Systems," of

Subchapter D, "Rules and Regulations for Public Water Systems," of Chapter 290, "Public Drinking Water," of Part 1, "Texas Commission on Environmental Quality," of Title 30, "Environmental Quality," of the Texas Administrative Code, in its current form and as it may hereafter be amended.

Water customers in the affected area shall be notified immediately with a "Boil Water Notice" and a letter explaining the situation and containing recommendations to the water customer regarding the use of bottled water. The "Flow chart" contained in Appendix H of Section 290.47, "Appendices," of Subchapter D, "Rules and Regulations for Public Water Systems," of Chapter 290, "Public Drinking Water," of Part 1, "Texas Commission on Environmental Quality," of Title 30, "Environmental Quality," of the Texas Administrative Code, in its current form and as it may hereafter be amended, shall be used to evaluate the response measures necessary to correct the condition.

Actions available (applied to all affected customers).

- Hand deliver boil water notice to all water customers affected.
- Prohibit all water usage for human consumption for 24 to 36 hours, as determined by the city manager or his designee.

Enforcement: Violations of restrictions will result in a warning, and then a citation may be issued with a fine not to exceed \$2,000.00 per incident.

Termination criteria: All initiated actions will remain in effect until the conditions which triggered Stage 5 have been alleviated. If Stage 5 is initiated because of water supply contamination, all initiated actions will remain in effect until the city manager or his designee determines that conditions exist which will allow removal of Stage 5 actions.

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