

**ORDINANCE NO. 2019-03**

**AN ORDINANCE AMENDING ORDINANCE 2014-7 OF THE CITY CODE  
ORDINANCES REGARDING THE WATER CONSERVATION AND EMERGENCY  
DEMAND MANAGEMENT PLAN.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAWSON TEXAS  
THAT THE CITY CODE ORDINANCES BE AMENDED TO HEREAFTER READ AS  
FOLLOWS:**

**WATER CONSERVATION AND EMERGENCY WATER DEMAND MANAGEMENT  
PLAN**

**SEC. 11.401 Introduction**

(A) The water distribution system and the wastewater collection and treatment system in the City of Dawson (City) are owned and operated by the City. The City purchases its drinking water from the City of Corsicana, which obtains raw drinking water from Lake Halbert, Lake Navarro Mills, and Richland-Chambers Reservoir. The water is treated at two City owned treatment plants, Lake Halbert Water Treatment plant and Navarro Mills Water Treatment Plant. The water used in the City of Dawson is treated at the Navarro Mills Water Treatment Plant.

**Sec. 11.402 Emergency Water Demand management Plan.**

(A) Drought or a number of other uncontrollable circumstances can disrupt the normal availability of the City's water supply. Even though the City may have an adequate water supply, the supply could become contaminated, or a disaster could destroy the supply.

(B) This chapter summarizes the City's emergency water demand management plan. Emergency management planning is not the same as conservation planning. While water conservation involves implementing permanent water use efficiency or reuse practices, the emergency water demand management plan will establish temporary methods or techniques designed to be used only as long as an emergency exists.

(C) The City's emergency water demand management plan will include the following six elements:

- (1) Trigger conditions signaling the start of an emergency period
- (2) Drought contingency measures
- (3) Education and information
- (4) Initiation procedures
- (5) Termination notification actions
- (6) Means of implementation

**Sec. 11.403 Trigger Conditions**

**(A) Mild Drought**

Mild drought conditions and contingency measures will be in effect when Navarro Mills Reservoir pro rata storage declines below elevation 421.5 feet above mean sea level (MSL) or when the average daily water use equals or exceeds 85% of the City's treatment capacity for **SEVEN consecutive days**. Based on a current total existing treatment capacity of 24.25 MGD,

the 85% trigger will be equal to 20.6MGD.

**(B) Moderate Drought**

Moderate drought conditions and contingency measures will be in effect when Navarro Mills Reservoir pro rata storage declines below elevation 419.0 feet above MSL or when the daily water use equals or exceeds 95% of the City's treatment capacity for **SEVEN consecutive days**. Based on a current total existing treatment capacity of 24.25 MGD, the 95% trigger will be equal to 23.0 MGD.

**(C) Severe Drought.**

Severe drought conditions and contingency measures will be in effect when the water surface elevation at Navarro Mills Reservoir pro rata storage declines below elevation of 414.5 feet above MSL.

**(D) Critical Emergency.**

Critical emergency and contingency measures will be in effect in the event of a catastrophic failure in the City's storage or distribution systems or if the potable water supply is not suitable for human consumption.

**Sec. 11.404 Drought Contingency Measures**

The following actions will be taken by the City when trigger conditions are reached and drought contingency measures may be necessary:

**(1) Mild Conditions.**

(A) Inform the public through the news media, social media, and water bill mail outs that a trigger condition has been reached and that they should look for way to VOLUNTARILY reduce water consumption such as:

- Use water in a manner that does not allow runoff or waste
- Use bucket, not spray nozzle for washing and rinsing of vehicles.
- Make sure dishwasher is full before running
- Wash full loads of laundry
- Take shorter showers
- Turn water off when brushing teeth
- Install toilet dam or other water saving device on commode
- Use eater saving native plants and shrubs in landscape

(B) Notify major commercial water users of the situation and request voluntary water use restrictions.

(C) Publicize the following VOLUNTARY (5 day) lawn watering schedule during the hours of 8:00 P.M. to 10:00 A.M. These practices would also need to be implemented on public grounds to set an example for the general public.

Last Digit of Address

0 and 5  
1 and 6  
2 and 7  
3 and 8  
4 and 9

Allowed Watering Dates

5<sup>th</sup>, 10<sup>th</sup>, 15<sup>th</sup>, 20<sup>th</sup>, 25<sup>th</sup>, 30<sup>th</sup>  
1<sup>st</sup>, 6<sup>th</sup>, 11<sup>th</sup>, 16<sup>th</sup>, 21<sup>st</sup>, 26<sup>th</sup>  
2<sup>nd</sup>, 7<sup>th</sup>, 12<sup>th</sup>, 17<sup>th</sup>, 22<sup>nd</sup>, 27<sup>th</sup>  
3<sup>rd</sup>, 8<sup>th</sup>, 13<sup>th</sup>, 18<sup>th</sup>, 23<sup>rd</sup>, 28<sup>th</sup>  
4<sup>th</sup>, 9<sup>th</sup>, 14<sup>th</sup>, 19<sup>th</sup>, 24<sup>th</sup>, 29<sup>th</sup>

(D) During winter months request water users to insulate pipes rather than running water to prevent freezing.

The goal in implementing the mild condition actions is to achieve a **five percent (5%) reduction** in system demand.

**(2) Moderate Condition.**

(A) Continue implementation of all relevant actions in preceding phase.

(B) Prohibit car washing, window washing, and pavement washing except when a bucket is used. (Car washes may still remain open.)

(C) The following mandatory (5 day) lawn water schedule during the hours of 8:00 P.M. to 10:00 A.M. will be implemented. This includes all public grounds.

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

Handheld watering of new landscapes (less than one year old) and commercial plant nurseries may be done any day during the above-stated irrigation time.

(D) The following public water uses, not essential for public health or safety, will be prohibited.

- Street washing
- Water hydrant flushing
- Filling of pools
- Athletic field watering
- Watering grassed areas of public property
- Operation of ornamental fountains

Enforce Ordinance 2472 Moderate Drought Surcharges  
See Attachment 1.

The goal in implementing the moderate condition actions is to achieve a **ten percent (10%) reduction** in system demand.

**(3) Severe Conditions.**

(A) Continue implementation of all relevant actions in the two preceding phases.

(B) All outdoor water use will be prohibited. Such use includes, but is not limited to the

following: lawn watering, car washing (including car washes) and pavement washing.

(C) Advise the public **weekly** regarding the severity of the condition

(D) Consider the feasibility for reuse of wastewater treatment plan effluent (approximately 3 MGD available).

(E) Surcharges for excessive water use will remain in full force and effect.

#### **(4) Critical Emergency Conditions**

All uses of public water supply will be banned except in cases of emergency. In these cases, water use will be limited, and water should be boiled prior to use as the purity may be questionable.

Under drought contingency measures, the City may pursue the use of reclaimed water for non-potable purposes.

#### **Sec. 11.405 Education and Information**

(A) The purpose and effect of the emergency water demand management plan will be communicated to the public as a component of the Education and Information section of the Water Conservation Plan. When trigger conditions and potential drought contingency measures appear to be approaching, the public will be notified through available news media and additional information on water conservation methods will be distributed.

(B) In the event that a trigger condition is reached, the public will be kept fully informed of the status of the drought condition through all available news media.

#### **Sec. 11.406 Initiation Procedures**

(A) When a trigger condition has been reached and drought contingency measures may be necessary the Mayor of Dawson or his duly appointed representative will order the initiation of the public notification process. The public notification process will include the following items:

(1) A NOTICE OF DROUGHT CONDITION will be posted at the Dawson City Hall, the Dawson Post Office, the Bank and all other area businesses.

(2) THE NOTICE will be circulated to local newspapers and social media

#### **Sec. 11.407 Termination Notification**

Termination of the drought contingency measures will take place when the trigger conditions which initiated the contingency measures have subsided and the drought contingency measures are no longer necessary. The public will be informed of the termination in the same manner that they were informed of the initiation of the measures through order of the Mayor or duly appointed representative.

#### **Sec. 11.408 Means of Implementation**

(A) The Mayor or other representative will be authorized by the City Council to order the

initiation of drought contingency measures when a drought trigger condition occurs.

(B) In addition, the City has developed the following documents as a means to implement the emergency management plan:

(1) A resolution by the City stating the adoption of this emergency water demand management plan.

(2) An ordinance by the City to implement the legal documents necessary to enforce this emergency water demand management plan.

(C) Copies of these documents are attached to ordinance

## **SURCHARGES**

### Moderate Drought Surcharges

This section shall be in full force and effect only when moderate drought conditions exist. When Navarro Mills Reservoir declines below elevation 419.0 feet above MSL or when the daily water use equals or exceeds 95% of the City's treatment capacity for seven (7) consecutive days, the following surcharges will apply:

(A) Residential: \$1.00 per 1,000 gallons surcharges for usage in excess of 7,000 gallons.

(B) Irrigation Meters; \$1.50 per 1,000 gallons surcharge for usage in excess of 10,000 gallons.

© Wholesale Water System: \$1.00 per 1,000 gallons surcharge for usage in excess of 7,000 gallons per meter based upon number of connections reported to TCEQ.

Passed and Approved by the City Council of the City of Dawson, Texas this the 10th day of July 2006.

## **WHOLESALE DROUGHT CONTINGENCY PLAN**

### **Section I: Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and/or to 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 Dawson adopts the following Drought Contingency Plan.

### **Section II: Public Involvement**

The plan will be adopted under the open meetings requirement of the TCEQ during the July 1, 2019 City Council Meeting. The public will be notified of the plan and preparations through public posting, news media and social media.

### **Section III: Wholesale Water Customer Education**

The City of Dawson will periodically provide wholesale water customers 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 a copy of the plan to each wholesale customer.

### **Section IV: Coordination with Regional Water Planning Groups**

The water service area of the City of Dawson is located within the Region C planning area and the City of Dawson has provided a copy of the Plan to the Region C Water Planning Group.

### **Section V: Authorization**

The City Mayor, or his/her designee, 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 Mayor or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

### **Section VI: Application**

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

### **Section VII: Criteria for Initiation and Termination of Drought Response Stages**

The City Mayor, or his/her designee, shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Customer notification of the initiation or termination of drought response stages will be made by mail or telephone. The news media will also be informed.

The triggering criteria described below are based on:

The City Mayor, or his/her designee, shall monitor water supply and demand conditions on periodic basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Customer notification of the initiation or termination of the drought responses will be made by postings in public locations and news media and social media.

#### **Utilization of alternative water sources and/or alternative delivery mechanisms:**

The City of Corsicana provides water to the City of Dawson. In addition to the Lake Navarro Mills water source managed by Trinity River Authority, the City of Corsicana has a raw water source, Richland Chambers Reservoir, operated by the Tarrant Regional Water District.

#### **Stage 1 Triggers -- MILD Water Shortage Conditions**

Requirements for initiation - The City of Dawson will recognize that a mild water shortage condition exists when Navarro Mills Reservoir pro rata storage declines below elevation 421.5 feet above mean sea level (MSL) or when average daily water use equals or exceeds 85% of the City's treatment capacity for **SEVEN consecutive days**. Based on a current total existing treatment capacity of 24.25 MGD, the 85% trigger will be equal to 20.6MGD.

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days. The City of Dawson will notify its wholesale customers and the media of the termination of Stage 1.

## **Stage 2 Triggers -- MODERATE Water Shortage Conditions**

Requirements for initiation - The City of Dawson will recognize that a moderate water shortage condition exists when Navarro Mills Reservoir declines below elevation 419.0 feet above MSL or when the daily water use equals or exceeds 95% of the City's treatment capacity for SEVEN consecutive days. Based on a current total existing treatment capacity of 24.25 MGD, the 95% trigger will be equal to 23.0 MGD.

Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative. The City of Dawson will notify its wholesale customers and the media of the termination of Stage 2.

## **Stage 3 Triggers -- SEVERE Water Shortage Conditions**

Requirements for initiation - The City of Dawson will recognize that a severe water shortage condition exists when the water surface elevation at Navarro Mills Reservoir declines below elevation 414.5 feet above MSL.

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative. The City of Dawson will notify its wholesale customers and the media of the termination of Stage 3.

## **Stage 4 Triggers -- CRITICAL Water Shortage Conditions**

Requirements for initiation - The City of Dawson will recognize that an emergency water shortage condition exists when an event of a catastrophic failure in the City's raw water sources, treatment, storage or distribution systems or if the potable water supply is not suitable for human consumption.

Requirements for termination - Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days. The City of Dawson will notify its wholesale customers and the media of the termination of Stage 4.

## **Section VIII: Drought Response Stages**

The City Mayor, or his/her designee, shall monitor water supply and/or demand conditions and, in accordance with the triggering criteria set forth in Section VII, shall determine that mild, moderate, severe, or critical water shortage conditions exist or that an emergency condition exists and shall implement the following actions:

### **Stage 1 Response -- MILD Water Shortage Conditions**

Target: Achieve a voluntary 5% percent reduction in system demand.

Best Management Practices for Supply Management:

The City Mayor, or his/her designee, will inform the public through news media, social media and water bill mail outs that a trigger condition has been reached and that they should look for a way to VOLUNTARILY reduce water consumption such as:

- Use water in a manner that does not allow runoff or waste
- Use bucket, not spray nozzle for washing and rinsing of vehicles.
- Make sure dishwasher is full before running
- Wash full loads of laundry
- Take shorter showers
- Turn water off when brushing teeth
- Install toilet dam or other water saving device on commode

Use eater saving native plants and shrubs in landscape

Water Use Restrictions for Reducing Demand:

(a) The City Mayor, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use (eg. Implement Stage 1 of the customer's drought contingency plan: and

(b) The City Mayor, or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

**Stage 2 Response -- MODERATE Water Shortage Conditions**

**Target: Achieve a 10% percent reduction in system demand.**

Best Management Practices for Supply Management:

The City Mayor, or his/her designee, will inform the public through news media, social media and water bill mail outs that a trigger condition has been reached and encourage customers to reduce water consumption such as:

Continue implementation of all relevant actions in preceding phase.

Prohibit car washing, window washing, and pavement washing except when bucket is used.

Initiate a mandatory lawn watering schedule during the hours of 8:00pm to 10:00pm including all public grounds.

The following public water uses, not essential for public health or safety, will be prohibited.

- (i) Street washing
- (ii) Water hydrant flushing
- (iii) Filling pools
- (iv) Athletic field watering
- (v) Watering grassed areas of public property
- (vi) Operation of ornamental fountains.

Water Use Restrictions for Reducing Demand:

(a) The City Mayor, or his/her designee(s), will request wholesale water customers to initiate mandatory measures to reduce non-essential water use (*e.g. implement Stage 2 of the customer's drought contingency plan*).

(b) The City Mayor, or his/her designee(s), will initiate weekly contact with wholesale water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.

(c) The City Mayor, or his/her designee(s), will further prepare for the implementation of pro rata curtailment of water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each wholesale customer.

(d) The City Mayor (*designated official*), or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

**Stage 3 Response -- SEVERE Water Shortage Conditions**

**Target: Achieve a 30 percent reduction in system demand.**

#### Best Management Practices for Supply Management:

The City Mayor, or his/her designee, will inform the public through news media, social media and water bill mail outs that a trigger condition has been reached and encourage customers to reduce water consumption such as:

- (a.) Continue implementation of all relevant actions in the two preceding phases.
- (b.) All outdoor water use will be prohibited. Such use includes, but is not limited to the following: lawn watering, car washing (including car washes) and pavement washing.
- (c.) Advise the public weekly regarding the severity of the condition.
- (d.) Consider adoption of an emergency ordinance to implement water rationing or surcharges for excessive water use.
- (e.) Consider the feasibility for reuse of wastewater treatment plant effluent (approximately 3 MGD available)

#### Water Use Restrictions for Reducing Demand:

- (a) The City Mayor, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate additional mandatory measures to reduce non-essential water use (e.g.: implement Stage 3 or appropriate stage of the customer's drought contingency plan).
- (b) The City Mayor, or his/her designee(s), will initiate pro rata curtailment of water diversions and/or deliveries for each wholesale customer.
- (c) The City Mayor, or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

#### Stage 4 Response -- EMERGENCY Water Shortage Conditions

Whenever emergency water shortage conditions exist as defined in Section VII of the Plan, the City Mayor shall:

1. Assess the severity of the problem and identify the actions needed and time required to solve the problem.
2. Inform the utility director or other responsible official of each wholesale water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems (*example: notification of the public to reduce water use until service is restored*).
3. If appropriate, notify city, county, and/or state emergency response officials for assistance.
4. Undertake necessary actions, including repairs and/or clean-up as needed.
5. Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.

#### Section IX: Pro Rata Curtailment

In the event that the triggering criteria specified in Section VII of the Plan for Stage 3 - Severe Water Shortage Conditions have been met, the City Mayor is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code, §11.039.

## **Section X: Contract Provisions**

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

## **Section XI: Enforcement**

Mandatory water use restrictions may be imposed in Stage 3 droughts. These mandatory water use restrictions will be enforced by warnings and penalties as follows:

- On the first violation, the customer will be given a written warning that they have violated one or more of the mandatory water use restrictions;
- The City of Dawson will require customer to implement a more comprehensive public education and outreach program in a manner that increases the public's awareness about mandatory water use restrictions and the current drought status; and
- After receiving a second notice of violation, the customer will be required to immediately submit documentation to the City of Dawson of the steps it has taken to ensure compliance with this water conservation and drought contingency plan. In addition, the City of Dawson will require the customer to implement additional public education and outreach program in a manner that increases the public's awareness about mandatory water use restrictions in the current drought status.

## **Section XII: Variances**

The City Mayor, or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (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 Plan shall file a petition for variance with the City Mayor within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the City of Dawson Council and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (c) Description of the relief requested.
- (d) Period of time for which the variance is sought.
- (e) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (f) Other pertinent information.

Variances granted by the City of Dawson Council shall be subject to the following conditions, unless waived or modified by the City of Dawson Council or its designee:

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

**Section XIII: Severability**

It is hereby declared to be the intention of the City of Dawson that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the City of Dawson without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

PASSED AND APPROVED by the City Council of the City of Dawson Texas this the 1<sup>st</sup> day of July 2019.

  
Stephen Sanders, Mayor

ATTEST:

  
Ronda Franks, City Secretary