



RESOLUTION 121322-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEONARD, TEXAS, ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF LEONARD TO PROMOTE THE RESPONSIBLE USE OF WATER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, The City of Leonard (the "City") is a municipality located in Fannin County, Texas; and uses groundwater wells for municipal use and retail sale; and

WHEREAS, the City recognizes that the amount of water available to its water customers is limited; and

WHEREAS, the City has determined an urgent need in the best interest of the public to adopt a Water Conservation and Drought Contingency Plan to reduce the consumption of water, reduce the loss or waste of water, improve or maintain the efficiency in the use of water, and increase the recycling or reuse of water; and

WHEREAS, the adoption of a Water Conservation Plan complies with Texas Commission on Environmental Quality "TCEQ" regulations set forth in Texas Administrative Code Title 30, Part I, Chapter 288, Subchapter A; and meets the requirements for Texas Water Development Board "TWDB" in and with Texas Administrative Code Title 31, Chapter 363, Rule 363.15

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEONARD, TEXAS:

Section 1. The City Council hereby approves and adopts the Water Conservation & Drought Contingency Plan attached hereto as exhibit "A", as if recited verbatim herein. The City commits to implement the requirements, goals, and procedures set forth in the adopted Plan, including its periodic review and renewal every 5 years.

Section 2. The City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Resolution was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

Section 3. This Resolution shall become effective from and after its adoption by the City Council.



ADOPTED this 13th day of December, 2022.

ATTEST:


Melissa Verde, City Secretary

SIGNED:

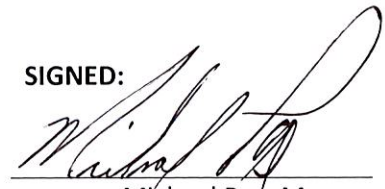

Michael Pye, Mayor

Exhibit A:

“Water Conservation & Drought Contingency Plan”

Water Conservation & Drought Contingency Plan

Prepared December 2022 for the

City of Leonard

111 W Collin St.
Leonard TX, 75452

Prepared By:

Kimley»Horn

260 East Davis Street
Suite 100
McKinney, Texas 75069
Phone 469.301.2580

Sections:

- 1.0 Water & Wastewater Systems Evaluation
- 2.0 5-year & 10-year goals
- 3.0 Schedule for Targets
- 4.0 Methods for Tracking Implementation
- 5.0 Master Meter
- 6.0 Program of Universal Metering
- 7.0 Measures to Determine & Control Water Loss
- 8.0 Continuous Water Loss Control Program
- 9.0 Program of Continuing Education
- 10.0 Water Rate Structure
- 11.0 Means of Implementation and Enforcement
- 12.0 Other Supplying Entities
- 13.0 Documentation of Regional Water Planning Group Notification
- 14.0 Drought Contingency Plans
- 15.0 Adoptions
- 16.0 Reporting Requirements

Attachments:

Attachment 1 – Water Conservation Utility Profile

Attachment 2 – Water Rate Schedule

Attachment 3 – Regional Water Planning Group Notification

Attachment 4 – Retail Drought Contingency Plan

Attachment 5 – Ordinance Adopting Water Conservation Plan

Section 1.0 – Water & Wastewater System Evaluation

This document represents the water conservation plan and drought contingency plans for the City of Leonard. This document has been developed, in part, to meet the Texas Water Development Board's (TWDB) conditions for financial assistance. To develop effective and efficient water conservation and drought contingency plans, the existing water and wastewater system conditions must be evaluated. A comprehensive breakdown of the City of Leonard's existing water and wastewater systems can be found in the water conservation utility profile in Attachment 1.

Section 2.0 – 5-year & 10-year Goals

The City of Leonard recognizes the importance of planning to develop and effective water and drought contingency plans. Proper planning will allow for all users of the system to conserve water and insure supply during shortages due to system constraints and drought.

The City of Leonard is committed to water conservation to avoid waste, save costs, and conserve water. The city has developed the following goals for its long-term water conservation and drought contingency plan:

1. Unaccounted for water in the System will be limited to a maximum of 15% of the water produced.
2. A conservation orientated rate structure utilizing uniform rates will be maintained for all customers.
3. Education and information will be provided to all retail customers presenting non-wasteful uses of water and techniques that can be employed to conserve water.
4. The City will continue a program to determine daily per capita water consumption. The daily per capita consumption will be calculated, reviewed, and compared to state and area averages annually. The objective of such programs will be to reduce city consumption to closer match state and area averages.

**Water Conservation Plan
5-Year & 10-Year Goals for Water Savings
Facilities Name: City of Leonard
Water Conservation Plan Year: 2022**

	Historic 5 - YR Average	2021	5- YR Goal for Year 2027	10-YR Goal for Year 2032
Total (GPCD)	129		130	130
Residential (GPCD)	70		62	60
Water Loss (GPCD)	22		20.8	19.5
Water Loss (Percentage)	22%		16%	15%

Section 3.0 – Schedule for Targets

The following schedule will be used for the City to achieve targets and meet the goals required for the water conservation plan:

- Meter's quantifying water from the city wells will be tested and calibrated annually.
- The City will continue a schedule-oriented maintenance program of meter testing and repair to address water loss problems.
- Water audits are conducted annually to identify water losses.
- Known water losses are corrected immediately and deteriorating water mains are replaced on an on-going basis.
- Educational materials will be mailed to all customers annually.
- Leak detection inspections are performed on an on-going basis.

Section 4.0 – Methods for Tracking Implementations

The method to track the established targets and goals will follow the below procedures:

- Logs shall be maintained for meter calibration, meter testing, and the meter replacement program.
- Annual water audits shall be documented and kept in the utility department files. Water conservation annual reports shall be submitted to TWDB by May 1st each year.
- The number of educational material mailing shall be recorded and kept in the utility department files.
- Ordinances will document all changes in water rates.
- A record of the location of leaks repaired will be maintained in order to identify lines needing replacement.

Section 5.0 – Master Meter

The City of Leonard uses meters to quantify the amount of water pumped from the wells. The City will have these meters tested and calibrated annually to maintain accuracy within plus or minus 5%.

Section 6.0 – Program of Universal Metering

All customer service connections, city connections and city employee connections are currently metered. The City has established a plan to be able to calculate and report unaccounted water losses. These losses in the system will be calculated and reported on an annual basis. The following concepts are included in the water loss audit program:

1. A records management system has been established that separates the water sales and uses into residential, commercial, public/institutional, and industrial.
2. Individual meters will be installed for all instances where a single meter has a double connection, and meters shall be installed for customer and public uses of water

3. Metering devices will have an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the sources of supply.
4. The city will continue a maintenance program of meter testing and repair to address problems as they develop. To ensure that problems are detected in a timely manner all meters owned by the city will be tested according to the following schedule:
 - a. Customer meters (2" and above) – test every fifteen years
 - b. Customer meters (smaller than 2") – test as readings indicate problems with meter accuracy or replace every fifteen years.
5. Monthly meter readings will be checked versus previous readings to determine if there is a dramatic changing in water use. A large variation would indicate that the meter is not operating properly and will be investigated further.

Section 7.0 – Measures to Determine & Control Water Losses

Several methods are used to find and control unaccounted for water in the system. City staff will survey distribution lines for leaks, abandoned services, and illegal connections. A review of water production versus water sold to customers is done periodically to monitor for excessive losses. In addition, the City will estimate the amount of unmetered water used for flushing or firefighting as accurately as possible.

Section 8.0 – Continuous Water Loss Control Program

A leak detection, location, and repair program are an important part of reducing water losses in a water system. A monthly accounting of the water produced versus the water metered to customers is currently being maintained. Detected losses greater than 15% will serve as a warning sign of a possible leak. These leaks will be located and repaired to limit the amount of water that must be pumped and treated by the city.

Section 9.0 – Program of Continuing Education

Through education and information dissemination, the City will inform its water customers of the benefits of water conservation. The City will accomplish this by implementing the following steps:

1. Annual educational water conservation activity
The City will provide an annual water conservation and drought contingency education forum at a meeting of the City Council. At this meeting, information will be presented regarding water conservation and public comment will be accepted at that time. Notification of this meeting will be made as part of the regular City Council meeting notice as is currently used to announce the agenda for City Council meetings.
2. Water conservation literature for customers
Annually, the City will mail out material developed by the staff, materials obtained from the Texas Water Development Board, Texas Commission on Environmental Quality, or other sources to all customers. All customers will receive conservation messages included on monthly bills. The City will also supply pamphlets and other water conservation literature to new customers upon applying for water service. At all times, these materials are to be accessible to the public at City Hall.

Section 10.0 – Water Rate Structure

The City of Leonard will continue to use an inclining/ inverted block rate structure in which unit prices increase with increased consumption. This rate structure has been chosen to encourage water conservation.

See attachment 2 for the water rate schedule.

Section 11.0 – Means of implementation and Enforcement

To implement and enforce this plan the City will rely on public education and city ordinances. Education will be provided by means of a community newsletter, news releases, and an annual status report on the water utility. When necessary, the City Council will utilize ordinances to enforce the policies adopted.

Section 12.0 – Other Supplying Entities

All water supply contracts entered, renewed, or extended after official adoption of this water conservation plan shall include the requirement that all wholesale entities must develop and implement their own water conservation plan. These plans must conform to the boards requirement and each entity will also be required to submit their plans to the Water Development Board for review.

Section 13.0 – Documentation of Regional Water Planning Group Notification

See attachment 3 for a copy of the notification letter sent to Regional Planning Group C.

Section 14.0 – Drought Contingency Plans

See attachments 4 for Retail Drought Contingency Plans.

Section 15.0 – Adoption

The City Council of the City of Leonard will adopt these plans and the subsequent plan elements discussed in this document by ordinance. See attachment 05 for the ordinance.

Section 16.0 – Reporting Requirements

The City will report annually to the executive administrator of the TWDB on the progress in implementing each of the minimum requirements in this water conservation plan and the status of any of its customers' water conservation plans. The following forms will be used for reporting: Water Conservation Plan Annual Report, TWDB-1966 for retail water suppliers, TWDB-1967 for non-water suppliers, and TWDB-1969 for wholesale water suppliers. The Director of Public Works will be responsible for completing the City's annual report.

Attachment 1 – Water Conservation Utility Profile

UTILITY PROFILE

Fill out this form as completely as possible.
If fields do not apply to your entity, leave them blank.

CONTACT INFORMATION

Name of Utility: _____

Public Water Supply Identification Number (PWS ID): _____

CCN Number: _____

Water Rights ID Number: _____

Wastewater ID Number: _____

Check all that apply:

Retail Water Supplier

Wholesale Water Supplier

Wastewater Treatment Utility

Address: _____ City: _____ Zip Code: _____

Email: _____ Telephone Number: _____

Regional Water Planning Group: _____ [Map](#)

Groundwater Conservation District: _____ [Map](#)

Completed By: _____ Title: _____

Date: _____

Check all that apply:

Received financial assistance of \$500,000 or more from TWDB

Have 3,300 or more retail connections

Have a water right with TCEQ

Section I: Utility Data

A. Population and Service Area Data

1. Current service area size in square miles: _____
(Attach or email a copy of the service area map.)
2. Provide historical service area population for the previous five years, starting with the most current year.

Year	Historical Population Served By Retail Water Service	Historical Population Served By Wholesale Water Service	Historical Population Served By Wastewater Service

3. Provide the projected service area population for the following decades.

Year	Projected Population Served By Retail Water Service	Projected Population Served By Wholesale Water Service	Projected Population Served By Wastewater Service
2020			
2030			
2040			
2050			
2060			

4. Describe the source(s)/method(s) for estimating current and projected populations.

B. System Input

Provide system input data for the previous five years.

Total System Input = Self-supplied + Imported – Exported

Year	Self-supplied Water in Gallons	Purchased/Imported Water in Gallons	Exported Water in Gallons	Total System Input

C. Water Supply System (Attach description of water system)

1. Designed daily capacity of system _____ gallons per day

2. Storage Capacity:

Elevated _____ gallons

Ground _____ gallons

3. List all current water supply sources in gallons:

Water Supply Source	Source Type*	Total Gallons

*Select one of the following source types: *Surface water, Groundwater, or Contract*

4. If surface water is a source type, do you recycle backwash to the head of the plant?

Yes _____ estimated gallons per day

No

D. Projected Demands

1. Estimate the water supply requirements for the next ten years using population trends, historical water use, economic growth, etc.

Year	Population	Water Demands (gallons)

2. Describe sources of data and how projected water demands were determined. Attach additional sheets if necessary.

E. High Volume Customers

1. If applicable, list the annual water use for the five highest volume **RETAIL customers**. Select one of the following water use categories to describe the customer; choose Residential, Industrial, Commercial, Institutional, or Agricultural.

Retail Customer	Water Use Category*	Annual Water Use	Treated or Raw

*For definitions on recommended customer categories for classifying customer water use, refer to the [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

2. If applicable, list the annual water use for the five highest volume **WHOLESALE customers**. Select one of the following water use categories to describe the customer; choose Municipal, Industrial, Commercial, Institutional, or Agricultural.

Wholesale Customer	Water Use Category*	Annual Water Use	Treated or Raw

*For definitions on recommended customer categories for classifying customer water use, refer to the [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

Section II: Retail System Data

If you do not provide retail water, go to Section III.

A. Retail Connections

1. List the active retail connections by major water use category.

Water Use Category*	Active Retail Connections		
	Metered	Unmetered	Total Connections
Residential - Single Family			
Residential – Multi-family (units)			
Industrial			
Commercial			
Institutional			
Agricultural			
TOTAL			

*For definitions on recommended customer categories for classifying customer water use, refer to the [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

2. List the net number of new retail connections by water use category for the previous five years.

Water Use Category*	Net Number of New Retail Connections				
Residential - Single Family					
Residential – Multi-family (units)					
Industrial					
Commercial					
Institutional					
Agricultural					
TOTAL					

*For definitions on recommended customer categories for classifying customer water use, refer to the [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

B. Retail Water Accounting Data - Water Use Categories

For the previous five years, enter the number of gallons of RETAIL water provided in each major water use category.

Water Use Category*	Total Gallons of Retail Water				
Residential - Single Family					
Residential – Multi-family					
Industrial					
Commercial					
Institutional					
Agricultural					
TOTAL					

*For definitions on recommended customer categories for classifying customer water use, refer to the [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

C. Retail Water Accounting Data - Annual and Seasonal Use

For the previous five years, enter the number of gallons provided to RETAIL customers.

TREATED

January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

RAW

January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

RETAIL						Average in Gallons
Summer Retail (Treated + Raw)						_____
						5yr Average
TOTAL Retail (Treated + Raw)						_____
						5yr Average

D. Water Loss

Provide Water Loss Data for the previous five years.

Water Loss GPCD = [Total Water Loss in Gallons ÷ Permanent Population Served] ÷ 365

Water Loss Percentage = [Total Water Loss ÷ Total System Input] x 100

Year	Total Water Loss in Gallons	Water Loss in GPCD	Water Loss as a Percentage
5-year average			

E. Peak Day Use

Provide the Average Daily Use and Peak Day Use for the previous five years.

Year	Average Daily Use (gal)	Peak Day Use (gal)	Month

Section IV: Wastewater System Data

If you do not provide wastewater system services then you have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.

A. Wastewater System Data (Attach a description of your wastewater system)

1. Design capacity of wastewater treatment plant(s): _____
gallons per day.
2. Provide data on the types of recycling and reuse activities implemented during the current reporting period.

	Total Annual Volume (in gallons)
On-site irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (parks, golf courses)	
Agricultural	
Discharge to surface water	
Evaporation pond	

3. Could treated wastewater be substituted for potable water?
Yes No

B. Wastewater Data for Service Area

1. Percent of water service area served by wastewater system: _____%
2. Monthly treated wastewater volume in gallons, for the previous five years.

January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

You have completed the Utility Profile. Save and Print this form to submit with your Plan.

Continue with the Water Conservation Plan Checklist to complete your Water Conservation Plan.

Attachment 2 – Water Rate Schedule

City of Leonard Water Rates

Residential Water Rates - Inside City Limits

Base Water Rate:	\$20.00	3/4" meter
	\$40.00	1" meter
	\$80.00	1-1/2" meter
	\$160.00	2" meter

Residential Water Rates - Outside City Limits

Base Water Rate:	\$45.00	3/4" meter
	\$90.00	1" meter
	\$180.00	1-1/2" meter
	\$360.00	2" meter

Commercial Water Rates - Inside City Limits

Base Water Rate:	\$30.00	3/4" meter
	\$60.00	1" meter
	\$120.00	1-1/2" meter
	\$240.00	2" meter

Commercial Water Rates - Outside City Limits

Base Water Rate:	\$67.50	3/4" meter
	\$135.00	1" meter
	\$270.00	1-1/2" meter
	\$540.00	2" meter

Consumption Charges

0 - 10,000 gal.	\$5.00	per thousand
10,001 - 20,000 gal.	\$6.00	per thousand
20,001 - 30,000 gal.	\$7.00	per thousand
30,001 - 40,000 gal.	\$8.00	per thousand
40,001 - 50,000 gal.	\$9.00	per thousand
50,000 and up	\$17.00	per thousand

Attachment 3 – Regional Water Planning Group Notification



December XX, 2022

North Texas Municipal Water District
501 E. Brown Street, PO Box 2408
Wylie, TX 75098

Re: City of Leonard Water Conservation Plan

To Whom it May Concern:

This purpose of this letter is to provide a copy of the City of Leonard's water conservation and drought contingency plan. If there are any questions regarding this project please contact me at David.perkins@kimley-horn.com or 469-917-4759.

Sincerely,

David Perkins, P.E.
Project Manager
Kimley-Horn and Associates, Inc.



December XX, 2022

Texas Commission on Environmental Quality
Resource Protection Team, MC-160
PO Box 13087
Austin, TX 78711-3087

Re: City of Leonard Water Conservation Plan

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This purpose of this letter is to provide a copy of the City of Leonard's water conservation and drought contingency plan. If there are any questions regarding this project please contact me at David.perkins@kimley-horn.com or 469-917-4759.

Sincerely,

David Perkins, P.E.
Project Manager
Kimley-Horn and Associates, Inc.



December XX, 2022

Texas Water Development Board
1700 North Congress Avenue, PO Box 13231
Austin, TX 78711-3231

Re: City of Leonard Water Conservation Plan

To Whom it May Concern:

This purpose of this letter is to provide a copy of the City of Leonard's water conservation and drought contingency plan. If there are any questions regarding this project please contact me at David.perkins@kimley-horn.com or 469-917-4759.

Sincerely,

David Perkins, P.E.
Project Manager
Kimley-Horn and Associates, Inc.

Attachment 4– Retail Drought Contingency Plan



Texas Commission on Environmental Quality
Water Availability Division
MC-160, P.O. Box 13087 Austin, Texas 78711-3087
Telephone (512) 239-4600, FAX (512) 239-2214

Drought Contingency Plan for a Retail Public Water Supplier

This form is provided as a model of a drought contingency plan for a retail public water supplier. If you need assistance in completing this form or in developing your plan, please contact the Conservation Staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For municipal water systems, adoption would be by the city council as an ordinance. For other types of publicly-owned water systems (example: utility districts), plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. For private investor-owned utilities, the drought contingency plan is to be incorporated into the utility's rate tariff. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

Name:	<u>City of Leonard</u>	
Address:	<u>111 W Collin St.</u>	
Telephone Number:	<u>(903) 587-3334</u>	Fax: <u>N/A</u>
Water Right No.(s):	<u>N/A</u>	
Regional Water Planning Group:	<u>C</u>	
Form Completed by:	<u>David Perkins</u>	
Title:	<u>Project Engineer</u>	
Person responsible for implementation:	<u>George Evanko</u>	Phone: <u>(903)-587-3334</u>
Signature:		<u>Date:</u>

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Leonard hereby adopts the following regulations and restrictions on the delivery and consumption of water.

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

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Leonard by means of news releases, public notices, and a public hearing to hear comments on the proposed plan.

Section III: Public Education

The City of Leonard will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of newsletter, news releases, and an annual status report on the water utility.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Leonard is located within the Region C Planning Area and the City of Leonard has provided a copy of this Plan to the Region C Planning Group

Section V: Authorization

The City Administrator, 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 Administrator 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 persons, customers, and property utilizing water provided by the City of Leonard. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

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

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

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

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

Customer: any person, company, or organization using water supplied by the City of Leonard (*name of your water supplier*).

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

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

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

The City Administrator or his/her designee shall monitor water supply and/or demand conditions on a routine basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached.

The triggering criteria described below are based on: Historical demands and well production capacities

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when:

1. Short- or long-term equipment failure or failure to maintain 35 psi at up to 250 service locations or up to ten hydrants localized area.
2. Daily water demand equals or exceeds 260,000 gallons for 7 consecutive days or 290,000 gallons on a single day
3. At the discretion of the city administrator (to facilitate operations, maintenance, or repairs)

(Describe triggering criteria / trigger levels; see examples below).

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 3 consecutive days.

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when:

1. Stage 1 measures fail to alleviate the continued trigger conditions.
2. Daily water demand equals or exceeds 260,000 gallons for 14 consecutive days or 300,000 gallons on a single day.
3. Short- or long-term equipment failure or failure to maintain 35 psi at up to 500 service locations or up to fifteen hydrants in a localized area.

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 3 consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when:

1. Stage 2 measure fail to alleviate the continued trigger conditions.
2. Daily water demand equals or exceeds 270,000 gallons for 14 consecutive days or 310,000 gallons on a single day.

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 3 consecutive days. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when:

1. Stage 3 measures fail to alleviate the continued trigger conditions.
2. Daily water demand equals or exceeds 280,000 gallons for 4 consecutive days or 315,000 gallons on a single day.

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 3 consecutive days. Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when city administrator, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Section IX: Drought Response Stages

The city administrator, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The city administrator or his/ her designee shall notify the public by means of:

- Notice in the newspaper
- General news release to print, electronic, television, and radio media
- Public service announcement
- Public notice posting
- Take home school fliers

Additional Notification:

The city administrator or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Mayor and members of the governing body
- Fire Chief
- City and County Emergency management Coordinators
- County Judge and Commissioners Court
- State Department of Emergency Management
- TCEQ
- Major Water Users
- Wholesale Water Customers
- Hospitals, Prisons
- Department of Public Utilities

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary 10 percent reduction in daily water demand

Best Management Practices for Supply Management:

- City administrator will inform customers that a mild trigger condition has been reached and request that all municipal water customers voluntarily seek ways to reduce water use.
- Discuss the situation with the local news media.
- Accelerate public information to teach voluntary water use reductions.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- (b) All operations of the City of Leonard shall adhere to water use restrictions prescribed for Stage 1 of the Plan.

- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a 15 percent reduction in daily water demand

Best Management Practices for Supply Management:

- City administrator will inform customers that a moderate trigger condition has been reached and request that all municipal water customers eliminate non-essential outside water use and advertise a voluntary lawn-watering schedule during non-peak hours.
- Continue to discuss the severity of the situation with local news media
- Communicate to customers on methods that can reduce the quantity of water needs for drinking, cooking, bathing, and laundry

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Leonard.

- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the City of Leonard, the facility shall not be subject to these regulations.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 3. use of water for dust control;
 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a 20 percent reduction in daily water demand

Best Management Practices for Supply Management:

- City administrator will inform customers that a severe trigger condition has been reached and issue a mandatory outside watering use schedule
- Continue to discuss the severity of the situation with the local news media.
- Notification of mandatory restrictions to be sent water users.
- Continue all other measures from previous stages that are not contradictory.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the City of Leonard.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 Response – CRITICAL Water Shortage Conditions

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

Best Management Practices for Supply Management:

- City administrator will inform customers that a critical trigger condition has been reached and issue a revised mandatory outside watering schedule

- Continue to discuss the severity of the situation with the local news media.
- Notification of revised mandatory restrictions to be sent to water users.
- Continue all other measures from previous stages that are not contradictory.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a 35 percent reduction in daily water demand.

Best Management Practices for Supply Management:

- City administrator will inform customers that a critical trigger condition has been reached and issue a revised mandatory outside watering schedule.
- Continue to discuss the severity of the situation with the local news media.
- Notification of revised mandatory restrictions to be sent to water users.
- Continue all other measures from previous stages that are not contradictory.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is absolutely prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Leonard 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 pursuant to action taken by city administrator, or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not more than five hundred dollars (\$500). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the city administrator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$ 50.00, and any other costs incurred by the City of Leonard in discontinuing service. In addition, suitable assurance must be given to the city administrator that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the City of Leonard, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) Any employee of the City of Leonard, police officer, or other employee designated by the city administrator, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

Section XI: Variances

The city administrator, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance 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 Ordinance shall file a petition for variance with the City of Leonard within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the city administrator, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Attachment 5 – Ordinance Adopting Water
Conservation Plan