

DROUGHT CONTINGENCY PLAN FOR THE CITY OF GALVESTON

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 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 Galveston hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan are considered 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 Galveston by means of scheduling and providing public notice of a public meeting, scheduled by the City Secretary, to accept input on the Plan.

Section III: Public Education

Successful implementation of the Drought Contingency Plan depends on effective communication with the public. The City of Galveston must exchange ideas with the public to understand its needs and determine what water uses are most essential. The public must believe that the measures adopted are credible. A public awareness and education campaign will be successful if it conveys that:

1. The water management condition is real.
2. Reductions in water demand are necessary.
3. The adopted measures realistically correspond to the severity of the situation.
4. All Customers share the inconvenience during water shortages.
5. The City of Galveston is effectively managing the existing water supply.

To accomplish these objectives, the City will take the following steps during drought or water emergency conditions:

- Alert the public and keep the public regularly informed through local media.
- Initiate public discussions when appropriate.
- Promote public understanding of the Drought Contingency Plan and convey restrictions required should situations worsen.
- Educate the public about ways to use water more efficiently.
- Gather public support for the plan's actions.
- Highlight the leadership role of the city government to save water.
- The campaign will work to gather support from various forms of news media to successfully keep the public informed. Once initiated, and especially during stages 3 and 4, the City and the news media will provide regular alerts to successfully implement public awareness and education through the following options.

News Media:

- Radio, television, internet and public service announcements
- Newspaper and other local publication announcements
- Interviews on radio and television programs, when appropriate
- Other radio and television pieces
- Newspaper and local magazine articles
- Press releases
- Paid or donated advertising

Communications:

- Citizen hot line (Number to be included in all communications).
- Communication to media web sites of the current stage and restrictions that apply.
- Telephone and written notifications to large water use customers when applicable.
- Water bill inserts or messages.
- Distribution of fact sheets, brochures, and pamphlets.
- Mail **distinctive-looking post cards** to customers beginning in stage two (2) conveying internal water restrictions that apply during this stage as well as a reminder to stay tuned to the media for mandatory restrictions during subsequent possible stages.
- Posting of signs and notices (e.g., city and county buildings, post offices).
- Billboards (if time and availability allows).

- Training City of Galveston customer service representatives.
- Post current Drought Contingency stage and restrictions that apply to the City's web site.

Community Involvement:

- Public meetings and hearings
- Public education seminars
- City employee training
- School programs
- Organized contests (e.g., poster or T-shirt design, showing new ideas to save water)
- Community outreach programs
- Education and outreach from community volunteers
- Formation of citizens' committees or other public forums

Wholesale Customer Education:

City of Galveston will periodically provide wholesale water customers with information about the Drought Contingency Plan including conditions that initiate each stage and the drought response measures to be implemented.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Galveston is located within the Houston Region (H) Water Planning Group and the Director of Municipal Utilities will provide a copy of this Plan to the Houston Region (H) WPG¹ and to the City's supplier, the Gulf Coast Water Authority².

Section V: Authorization

The Director of Municipal Utilities, or a designee, is hereby authorized and directed to implement and administer, at the direction of the City Manager, the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare.

Section VI: Application

¹ Region H Administrative Office, 1660 W. Bay Area Blvd., Friendswood, TX 77546-2640
Phone-281-486-1105 Fax- 281-218-3714

² 3630 Highway 1765 Texas City, TX 77591-4824 Phone-409-935-2438 Fax-409-935-4156

The provisions of this Plan shall apply to all customers purchasing water from the City of Galveston.

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, large housing complexes, hotels/ motels and entertainment complexes, Port of Galveston entities, 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.

Retail Customer: any person or entity purchasing drinking water from the City of Galveston for use or consumption.

Wholesale Customer: any entity purchasing potable water from the City of Galveston for resale or redistribution.

Domestic water use: commonly known as “drinking water,” used for personal needs or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or cleaning.

Property in East Galveston: property located East of an extended line running North and South along the center of 45th street.

Property in West Galveston: property located West of an extended line running North and South along the center of 45th street.

Industrial water use: the use of water in processes designed to convert materials of lower value into form 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 right-of-way and medians. Both potable and non-potable water may be used for this purpose.

Non-essential water use: The use of potable water for the following purposes is considered non-essential and will be regulated or prohibited, depending on implementation stages of this Plan:

- (a) irrigation of landscape areas, including parks, schools, athletic field, and golf courses, except otherwise provided under this Plan;
- (b) washing any motor vehicle, motorbike, boat, trailer, airplane or other vehicle, other than in a commercial car wash, if not necessary for the protection of public health, safety, and welfare;
- (c) washing any sidewalks, walkways, driveway, parking lot, tennis courts, or other hard-surfaced areas;
- (d) washing 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) filling, refilling, or adding to any indoor or outdoor swimming pools or jacuzzi-type pools;
- (g) filling, refilling, or adding to any fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) using water hydrants for construction purposes or any other purposes other than fire fighting, hydrant flushing and street cleaning;
- (i) water loss because a responsible party has not repaired controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

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

The Director of Municipal Utilities or a designee, under the direction of the City Manager, shall monitor water supply and demand conditions on a daily 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 criteria described below are based on statistical analysis of the vulnerability of water supply under past drought conditions.

Stage 1 Triggers – MILD Water Shortage Conditions

Requirements for Initiation and Termination

	Triggering Criteria		
	For four consecutive days:	OR:	Goal
Initiate	Total water demand exceeds 80% of deliverable capacity or Water reservoirs fall below 80% of capacity	For a single day demand exceeds 85% of deliverable capacity or Water reservoirs fall below 70% of capacity	Alert customers and create public awareness of water demand conditions
Terminate	May be rescinded when the need for conservation is no longer necessary for a period of 14 consecutive days, or as otherwise determined by the City Director of Municipal Utilities.		

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for Initiation and Termination

	Triggering Criteria		
	For four consecutive days:	OR:	Goal
Initiate	Total water demand exceeds 85% of deliverable capacity or Water reservoirs fall below 70% of capacity	For a single day demand exceeds 90% of deliverable capacity or Water reservoirs fall below 65% of capacity	Daily water demand does not rise above 90% of capacity or Water reservoirs are above 80% of capacity
Terminate	When all of the conditions triggering events have ceased to exist for a period of 14 consecutive days, or as otherwise determined by the Director of Municipal Utilities. Upon termination of Stage 2, Stage 1 becomes operative.		

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for Initiation and Termination

	Triggering Criteria	
	For THREE consecutive days:	Goal
Initiate	Total water demand exceeds 90% of deliverable capacity or Water reservoirs fall below 65% of capacity	Reduce and maintain daily water demand at or below 90% of capacity
Terminate	When all of the conditions triggering events have ceased to exist for a period of 10 consecutive days, or as otherwise determined by the Director of Municipal Utilities. Upon termination of Stage 3, Stage 2 becomes operative.	or Water reservoirs are above 75% of capacity

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for Initiation and Termination

	Triggering Criteria	
	For ONE day:	Goal
Initiate	Total water demand exceeds 95% of deliverable capacity or Water reservoirs fall below 60% of capacity	Reduce and maintain daily water demand at or below 80% of capacity
Terminate	When all of the conditions triggering events have ceased to exist for a period of 10 consecutive days, or as otherwise determined by the Director of Municipal Utilities. Upon termination of Stage 4, Stage 3 becomes operative.	or Water reservoirs are above 70% of capacity

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for Initiation and Termination

	Triggering Criteria	
		Goal
Initiate	<ol style="list-style-type: none"> 1. Major water line breaks, or pump or system failures occur, which cause significant loss of capability to provide water service; or 2. Natural or man-made contamination of the water supply source(s); or 3. Stage 4 has not reduced water usage to goal levels and the Director of Municipal Utilities determines the City may not be able to meet the water demands of customers. 	<ol style="list-style-type: none"> 1. For anticipated short-term emergency, discontinue all water system operations and correct the emergency situation to insure a safe supply of water.
Terminate	<p>When all of the conditions triggering events have ceased to exist for a period of 14 consecutive days, or as otherwise determined by the Director of Municipal Utilities.</p> <p>Upon termination of Stage 5, Stage 4 becomes operative.</p>	<ol style="list-style-type: none"> 2. For anticipated or actual extended emergency period, reduce and maintain daily water demand to appropriate supply level while situation is being corrected.

Section IX: Drought Response Stages

The Director of Municipal Utilities, or a designee, shall continuously monitor water supply and demand conditions and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, or emergency condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

When the Director of Municipal Utilities or a designee implements this Plan, he/she shall immediately notify the public by means of announcements in local media. Update releases will be on at least a daily basis during implementation of this Plan, unless otherwise specified for specific responses listed below.

Additional Notification:

When the Director of Municipal Utilities or a designee implements this Plan, he/she shall immediately notify directly, or delegate to be notified directly, the following individuals and entities:

Mayor and members of the City Council

TCEQ – 512-239-6054 (required when restrictions are mandatory)

City Emergency Management Officer

Customers with highest water need or use, including hospitals; health care facilities; geriatric complexes and homes; the Port of Galveston; the County Department of Parks and Recreation; major hotels, cruise lines and entertainment centers; major restaurants; major housing complexes; water suppliers for off-shore locations; industrial plants and complexes.

Post Event Assessment

At the termination of each event, Director of Municipal Utilities shall prepare a post-event assessment report and critique the effectiveness of deliverable capacity, triggers and response procedures so the City may consider modifications to this Plan and/or its execution.

Stage 1 Response – MILD Water Shortage Conditions

<u>Supply Management Measures:</u>	<u>Voluntary Water Use Restrictions:</u>
<p>(a) The City will monitor water supply and demand on a constant basis and notify users by press releases of conditions as appropriate.</p> <p>(b) Call and mail notification to major water consumers of need to reduce their usage on a voluntary basis by at least 5%.</p> <p>(c) Water will be distributed to reservoirs based on demand in specific areas served by the reservoirs.</p> <p>(d) City maintenance services (e.g. flushing of water mains, watering of City property) normally performed with potable water will be performed at extended intervals or deferred at the discretion of the Director of Municipal Utilities.</p> <p>(e) The substitution of reclaimed, non-potable water for irrigation purposes may be initiated whenever feasible by the City and other governmental agencies engaged in irrigation activities.</p> <p>(f) The Director of Municipal Utilities may explore alternative sources of potable water.</p> <p>(g) Notify wholesale water purchasers of reductions in available water and advise implementation of conservation plan.</p>	<p>(a) Via press releases and/or published notices in all media, request that water customers practice water conservation and minimize or discontinue water use for non-essential purposes.</p> <p>(b) Request, via press releases and/or published notices, that customers voluntarily limit the irrigation of Landscaped areas with potable water to Tuesdays and Thursdays for customers on the East side of the City, and Wednesdays and Fridays for water customers on the West side of the City, and to irrigate landscapes before 10 a.m. OR after 8:00 p.m. on designated watering days.</p>
<p><u>Upon Termination of Stage 1:</u></p>	<p>Notify customers via press releases for at least two consecutive days that Stage 1 is ended.</p>

Stage 2 Response – MODERATE Water Shortage Conditions

<u>Supply Management Measures:</u>	<u>Water Use Restrictions:</u>
<p>(a) The City will monitor water supply and demand on a constant basis and notify users of conditions on at least a daily basis via press notices.</p> <p>(b) Call and mail notification to major water consumers of need to reduce their</p>	<p>Under threat of penalty for violation, the following water use restrictions shall apply to all persons:</p> <p>(a) Irrigation of landscaped areas with hose-end sprinklers or automatic Irrigation systems shall be limited to</p>

<p>usage by at least 10%.</p> <p>(c) Water will be distributed to reservoirs based on demand in specific areas served by the reservoirs.</p> <p>(d) City maintenance services (e.g. flushing of water mains, watering of City property) normally performed with potable water will be performed at extended intervals or deferred at the discretion of the Director of Municipal Utilities.</p> <p>(e) The substitution of reclaimed, non-potable water for irrigation purposes should be initiated whenever feasible by the City and other governmental agencies engaged in irrigation activities.</p> <p>(f) The Director of Municipal Utilities may explore alternative sources of potable water.</p> <p>(g) Notify wholesale water purchasers of reductions in available water and advise implementation of conservation plan. If City anticipates shortage for extended period, meet with wholesale customers and formulate plan for allocation.</p>	<p>Tuesdays and Thursdays for customers on the East side of the City, and Wednesdays and Fridays for water customers on the West side of the City , and to irrigate landscapes before 10 a.m. OR after 8:00 p.m. on designated watering days. However, irrigation of landscaped areas is permitted at any time on the designated days 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.</p> <p>(b) Private use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days before 10 a.m. OR after 8:00 p.m. 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 rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if, as determined by the Director of Municipal Utilities, the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks, fishing vessels, and vehicles used to transport food and perishables</p> <p>(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 before 10 a.m. OR after 8:00 p.m.</p> <p>(d) The addition of potable water to any ornamental fountain or pond for aesthetic or scenic purposes is</p>
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	<p>prohibited except where necessary to support aquatic life</p> <p>(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 Director of Municipal Utilities, or designee, City of Galveston.</p> <p>(f) Unless permitted by the Director of Municipal Utilities, use of potable water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days before 10 a.m. OR after 8:00 p.m. However, if the golf course utilizes a water source other than potable water provided by the City of Galveston (e.g. reclaimed, non-potable water), the facility shall not be subject to these regulations.</p> <p>(g) All restaurants are prohibited from serving water to patrons except on patron request.</p> <p>(h) The following uses of potable water are considered non-essential in Stage 2 and are prohibited:</p> <ol style="list-style-type: none">1. wash down of any sidewalks, walkways, driveway, parking lot, 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, except as permitted by the Director of Municipal Utilities;4. hydrant flushing, flushing gutters, or permitting water to
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	<p>run or accumulate in any street; and</p> <p>5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).</p>
<p><u>Upon Termination of Stage 2:</u></p>	<p>Notify customers via press releases for at least two consecutive days that Stage 2 is ended and City is reverting to Stage 1.</p>

Stage 3 Response – SEVERE Water Shortage Conditions

Supply Management Measures:	Water Use Restrictions:
<p>(a) The City will monitor water supply and demand on a constant basis and notify users via press releases of conditions on at least a daily basis.</p> <p>(b) Reduce distribution pressure in 10% increments as possible and appropriate to attempt to stabilize minimum storage levels.</p> <p>(c) If condition is anticipated to extend beyond 24 –hours, meet with representatives of major water consumers and determine plan to reduce their usage by at least 15%.</p> <p>(d) Water will be distributed to reservoirs based on demand in specific areas served by the reservoirs.</p> <p>(e) City maintenance services (e.g. flushing of water mains, watering of City property) normally performed with potable water will be performed at extended intervals or deferred at the discretion of the Director of Municipal Utilities.</p> <p>(f) The substitution of reclaimed, non-potable water for irrigation purposes should be initiated whenever feasible by the City and other governmental agencies engaged in irrigation activities.</p> <p>(g) The Director of Municipal Utilities</p>	<p>All requirements of Stage 2 shall remain in effect during Stage 3 except:</p> <p>(a) Irrigation of landscaped areas shall be limited to designated watering Days before 10 a.m. OR after 8:00 p.m., and shall be by means of hand-held hoses, hand-held buckets, drip irrigation only. <u>The use of hose-end sprinklers and automatic sprinkler systems are prohibited at all times.</u></p> <p>(b) The watering of golf course tees with potable water is prohibited unless the golf course utilizes a water source other than that provided by the City of Galveston (e.g. reclaimed, non-potable water)</p> <p>(c) The use of water for construction purposes from designated fire hydrants by special permit is prohibited, except with the written permission of the Director of Municipal Utilities.</p>

<p>may explore alternative sources of potable water.</p> <p>(h) Notify wholesale water purchasers of reductions in available water and request implementation of conservation plan. If City anticipates shortage for extended period, meet with wholesale customers and formulate plan for allocation.</p>	
<p>IF STAGE 3 IS IN EFFECT FOR 14 CONSECUTIVE DAYS, the City Manager may announce and implement a 10% surcharge over regular rates for City potable water during the next 30-day billing cycle. The surcharge will be in effect for at least one billing cycle, and may be extended for subsequent 30-day billing cycle periods or terminated at the end of a billing period.</p>	
<p><u>Upon Termination of Stage 3:</u></p>	<p>Notify customers via press releases for at least two consecutive days that Stage 3 is ended and City is reverting to Stage 2. Upon reverting to Stage 2, any 10% surcharge will be terminated at the end of its billing cycle in effect at the time of termination.</p>

Stage 4 Response – CRITICAL Water Shortage Conditions

<u>Supply Management Measures:</u>	<u>Water Use Restrictions:</u>
<p>(a) The City will monitor water supply and demand on a constant basis and notify users via press releases of conditions on at least a daily basis.</p> <p>(b) Reduce distribution pressure in 10% increments as possible and appropriate to attempt to stabilize minimum storage levels.</p> <p>(c) If condition is anticipated to extend beyond 24 –hours, meet with representatives of major water consumers and determine plan to reduce their usage by at least 20%.</p> <p>(d) Water will be distributed to reservoirs based on demand in</p>	<p>All requirements of Stage 3 shall remain in effect during Stage 4 except:</p> <p>(a) Irrigation of landscaped areas with potable water shall be limited to designated watering days between the hours of 8:00 a.m. and 10:00 a.m. OR between the hours of 8:00 p.m. and 10 p.m., and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation <u>only</u>.</p> <p>(b) Use of potable water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not</p>

<p>specific areas served by the reservoirs.</p> <p>(e) City maintenance services (e.g. flushing of water mains, watering of City property) normally performed with potable water will be performed at extended intervals or deferred at the discretion of the Director of Municipal Utilities.</p> <p>(f) The substitution of reclaimed, non-potable water for irrigation purposes must be initiated whenever feasible by the City and other governmental agencies engaged in irrigation activities.</p> <p>(g) The Director of Municipal Utilities should aggressively explore alternative sources of potable water.</p> <p>(h) Notify wholesale water purchasers of reductions in available water and request implementation of conservation plan. If City anticipates shortage for extended period, meet with wholesale customers and formulate plan for allocation.</p>	<p>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 using potable water 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.</p> <p>(c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.</p> <p>(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.</p> <p>(e) Unless specifically approved by the Director of Municipal Utilities, 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.</p>
<p>IF STAGE 4 IS IN EFFECT FOR 14 CONSECUTIVE DAYS <u>OR</u> A 10% WATER SURCHARGE IS CARRIED OVER FROM STAGE 3, the City Manager may announce and implement a 15% surcharge over regular rates for City potable water during the next 30-day billing cycle. The surcharge will be in effect for at least one billing cycle, and may be extended for subsequent 30-day</p>	

<p>billing cycle periods, reduced, or terminated effective the end of a billing cycle period.</p>	
<p><u>Upon Termination of Stage 4:</u></p>	<p>Notify customers via press releases for at least two consecutive days that Stage 4 is ended and City is reverting to Stage 3. If a 15% surcharge is in effect on reverting to Stage 3, it must be reduced to the Stage 3 rate -10% effective the next billing cycle following the termination date.</p>

Stage 5 Response – EMERGENCY Water Shortage Conditions

<u>Supply Management Measures:</u>	<u>Water Use Restrictions:</u>
Anticipated short-term Emergency:	For both short and long-term Emergencies:
<p>Discontinue all water system operations and correct the emergency situation to insure a safe supply of water.</p> <ul style="list-style-type: none"> (a) The City will monitor water supply and demand on a constant basis and notify users via press releases of conditions at least every 4 hours. (b) Reduce distribution pressure in 10% increments as possible and appropriate to attempt to stabilize minimum storage levels. (c) Issue Boil Water notices via press releases and, if necessary, published notices. (d) Place Fire Department on alert. (e) Available potable water will be distributed to reservoirs based on demand in specific areas served by the reservoirs. (f) City maintenance services (e.g. flushing of water mains, watering of City property) normally performed with potable water will be deferred at the discretion of the Director of Municipal Utilities. (g) The substitution of reclaimed, non-potable water for irrigation purposes must be initiated whenever feasible by the City and other governmental agencies engaged in irrigation activities. (h) The Director of Municipal Utilities should explore alternative sources of potable water. (i) Notify wholesale water purchasers of reductions in available water and mandate implementation of conservation plan. If City anticipates shortage for extended period, meet with wholesale customers and formulate plan for allocation. 	<p>All requirements of Stage 4 shall remain in effect during Stage 5 except:</p> <ul style="list-style-type: none"> (a) All irrigation of landscaped areas with potable water is prohibited. (b) Use of potable water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited, except in situations affecting the public health and safety based on written permission of the Director of Municipal Utilities. (c) <u>There will be a pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code, §11.039.</u>

Anticipated Extended Emergency:

- (a) The City will monitor water supply and demand on a constant basis and notify users via press releases of conditions at least every 4 hours.
- (b) Reduce distribution pressure in 10% increments as possible and appropriate to attempt to stabilize minimum storage levels.
- (c) If necessary, issue Boil Water notices via press releases, published notices (if necessary), and, if condition extends beyond 24 hours, direct mailing to customers.
- (d) Place Fire Department on alert.
- (e) If condition is anticipated to last over 24 hours, meet with representatives of major water consumers and determine plan to reduce their usage to the minimum amount feasible.
- (f) Available potable water will be distributed to reservoirs based on demand in specific areas served by the reservoirs.
- (g) City maintenance services (e.g. flushing of water mains, watering of City property) normally performed with potable water will be deferred at the discretion of the Director of Municipal Utilities.
- (h) The substitution of reclaimed, non-potable water for irrigation purposes must be initiated whenever feasible by the City and other governmental agencies engaged in irrigation activities.
- (i) The Director of Municipal Utilities should explore alternative sources of potable water.
- (j) Notify wholesale water purchasers of reductions in available water and mandate implementation of conservation plan. If City anticipates shortage for extended period, meet with wholesale customers and formulate plan for allocation.

<u>Upon Termination of Stage 5:</u>	Notify customers via press releases for at least two consecutive days that Stage 5 is ended and City is reverting to Stage 4.
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Section IX: Emergency Water Allocation

If the supply of available potable water reaches such a low level that anticipated demand cannot be met and the health and safety of the community may be at risk, the City Director of Municipal Utilities, at the direction of the City Manager, shall be responsible for administering an allocation program under which the City may limit the times and/or days water will be pumped into the water distribution system. If necessary, this allocation system may vary for areas of the City served by different reservoirs and water will be distributed accordingly to these reservoirs.

Schedules of water availability in different areas of the City will be announced by press releases to all media, and may be supplemented by the distribution of circulars at businesses and public buildings throughout the City, as determined by the Directory of Municipal Utilities.

Water distribution will be administered by the City Director of Municipal Utilities, at the direction of the City Manager, based on priorities established at a meeting with the Mayor, City Manager, the City Emergency Operation Officer, and any other official(s) the aforementioned individuals deem necessary, including wholesale customer representatives. The agreement should include, but not be limited to, considering the following facilities in setting area priorities:

- Fire and Public Safety facilities
- Hospitals and Medical-related (including veterinary) facilities
- Facilities housing distribution points for food and bottled water
- Geriatric and Assisted Living facilities
- Educational and Day Care facilities (while in session)
- Food service facilities (e.g. restaurants, food kitchens)
- Government, Commercial and Industrial facilities (e.g. courts, Public Works water system stations, power complexes, manufacturers, distributors, retail stores, auto service stations, hotels, mortuaries, entertainment complexes)
- Port of Galveston facilities.
- Residential users and housing complexes

Water distribution to wholesale accounts: There will be a provision in every wholesale water contract entered into or renewed by the City after adoption of this

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 X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Galveston for any use contrary to any provision of this Plan, as specified by the drought response stage in effect at the time as a result of action taken by Director of Municipal Utilities, or a designee, in accordance with provisions of this Plan. Any violation shall be considered an infraction against the public health and sanitation of the City.

- (b) Any person who violates this Plan is guilty of a misdemeanor and shall be punishable by a fine not exceeding \$2,000.00 dollars. 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 Director of Municipal Utilities shall, upon 48-hour advance 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 advance payment of a re-connection charge, hereby established at \$40.00 same day or \$25.00 next day, and any other cost incurred by the City of Galveston in disconnecting and restoring service. In addition, suitable assurance must be given to the Director of Municipal Utilities 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) The Director of Municipal Utilities shall assume that the billing name for a water customer account is the person responsible for any violations to this Plan, and shall be presumed to be the violator, unless that person can submit tangible proof to the Director that another person or entity bears responsibility for the property.

- (d) Any employee of the City of Galveston designated by the Director of Municipal Utilities, or a police officer, may issue a citation to a person or entity in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the violator, if known, and the

offense charged. The citation shall direct him/her to appear in the city 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 city 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 city municipal court, a warrant for 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 city municipal court before all other cases.

- (e) In the event of water allocation, appropriate security measures should be implemented by the affected City departments.

Section XI: Variances

The Director of Municipal Utilities, or a 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 feasible 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, obtained from the Director of Municipal Utilities or a designee, with the City of Galveston within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Director of Municipal Utilities, or a 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 of this Plan and the compliance date.
- (h) Other pertinent information.

Variations granted by the City of Galveston shall be subject to the following conditions, unless waived or modified by the Director of Municipal Utilities or a designee:

- (a) Variations granted shall be valid only for the granted limited time period during the current situation where Stages of conservation are declared, and shall expire on the designated date or the termination of Stage 1 in the current sequence, whichever occurs first.
- (b) All variations granted shall be valid for a maximum of 90 days, at which time, if the City is still under a declared conservation period, the customer will have to re-apply for a new variance.

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

March, 2003