

**INGLESIDE ON THE BAY ORDINANCE #1996-03
AN ORDINANCE ADOPTING SAN PATRICIO MUNICIPAL
WATER DISTRICTS RULES AND REGULATIONS CONCERNING
WATER RATIONING AS PROVIDED IN SEC. 19 OF THE CONTRACT
BETWEEN THE SAN PATRICIO WATER DISTRICT AND THE CITY
OF CORPUS CHRISTI**

WATER CONSERVATION

- A. Scope. There is hereby established a City of Ingleside On The Bay Water Conservation Plan.
- B. Declaration of policy. It is hereby declared that the general welfare requires that the water resources available to the city be put to the maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use, or unreasonable method of use of water be prevented, and the conservation of such water is to be extended with a view to the reasonable and beneficial use there of in the interests of the people of the area served by the city's water resources and for the public welfare.

In making decisions under this article concerning the allocation of water between conflicting interests, highest priority will be given to allocation necessary to support human life and health; i.e., the minimum amount of water necessary for drinking, prevention of disease, and the like. Second highest priority will be given to allocations which will result in the least loss of employment to persons whose income is essential to their families.

- C. Authorization. The Mayor, or his designee, upon the recommendation of the city council is hereby authorized and directed to implement the applicable provisions of this article upon their determination that such implementation is necessary to protect the public welfare and safety.

PROHIBITION AND REGULATION OF USES

For the purposes of this article, the following provisions shall apply:

1. No person shall knowingly, recklessly, or with criminal negligence, make, cause, use or permit the use of water from the city system for

residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this section, or in an amount in excess of that use permitted by the conservation stage in effect pursuant to action taken by the city manager, or his designee, in accordance with the provision of this section. The provisions of this section shall apply to all uses of water from the city water supply system wherever situated. As used in this article, "person" includes individuals, corporations, partnerships, associations, and all other legal entities.

2. The Mayor shall promulgate guidelines which shall set forth the criteria for determining when a particular conservation stage is to be implemented and terminated. Such guidelines shall be updated when, in the opinion of the Mayor, the conditions of the water system have changed so as to necessitate such update, said guidelines to be published and filed in the office of the city.
3. The use or withdrawal of water from the water supply system of the city for the following purposes or uses is hereby regulated during any period of water shortage commencing with the promulgation of water conservation guidelines and implementation of same by the Mayor and continuing until such water conservation measures are no longer deemed necessary by the Mayor in accordance with such guidelines.
 - a. Condition I - Water shortage possibility. Upon implementation by the Mayor customers of the water system of the city are requested to voluntarily conserve and limit their use of water and shall comply with the following mandatory restrictions on the use of water for irrigation of vegetation. All municipal operations a placed on mandatory conservation. Water used for irrigation of vegetation may be used only on such day or days of each week, other than between the hours of 10 a.m. and 6:00 p.m., based on street numbers, as may be designated by the Mayor. However, any person may raise as a defense to prosecution for violation of this section the fact that the use of water for the following purposes (if such defense has not been disallowed by motion of the City Council):
 - (1) The water was used, other than during the hours between 10 a.m. and 6:00 .pm., for irrigation, at the minimum rate necessary, for the establishment and maintenance of flower gardens, vegetable gardens, fruit gardens, trees, and shrubs, or plants in containers, and applied using:
 - (i) A hand held hose equipped with a positive shutoff nozzle.
 - (ii) A drip irrigation system equipped with an automatic shutoff device.
 - (iii) A soaker hose, which does not spray water into the

air, equipped with an automatic shutoff device.

- (iv) A root feeder equipped with an automatic shutoff device.
 - (v) A hand held bucket or watering can.
- (2) The water was used at any hour for irrigation, at the minimum rate necessary, for the establishment and maintenance of commercial nursery stock and applied using:
- (i) A hand held hose equipped with a positive shutoff nozzle.
 - (ii) A sprinkler system.
 - (iii) A drip irrigation system equipped with an automatic shutoff device.
 - (iv) A soaker hose, which does not spray water into the air, equipped with an automatic shutoff device.
 - (v) A root feeder equipped with an automatic shutoff device.
 - (vi) A hand held bucket or watering can.
- (3) The water used, other than during the hours between 10 a.m. and 6:00 p.m., for irrigation, at the minimum rate necessary, for the establishment of newly planted materials within thirty (30) days of planting. Water used for this purpose may be applied by any means.
- (4) Waste water treatment plant effluent, graywater, well water, or other water not obtained from the City water system was used, other than during the hours between 10:00 a.m. and 6:00 p.m. However, the use of well water that is not mixed with any water from the City's water supply may be used at any hour.
- (5) The water is used, other than during the hours between

10:00 a.m. and 6:00 p.m., for irrigation, at the minimum rate necessary, maintenance of golf course greens and tee boxes.

- (6) The water was used at any hour for short periods of time for testing related to the installation, maintenance, and repair of sprinkler systems.

In the event the premises have no number, application shall be made to the city building official for the assignment of a number to such premises and such premises shall thereafter bear the number so assigned. Such day or days may be changed by further directive of the Mayor. In the event any premises do not have a number at the time of the occurrence of any violation under this article, the premises shall be in the category of premises with street numbers ending in zero. No person or customer shall cause or permit water to run or waste in any gutter or otherwise.

- b. Condition II - Water shortage watch. Upon implementation by the Mayor, and publication of notice, the following restrictions shall apply to all persons and the withdrawal of water from the system for the following purposes or uses is hereby prohibited. The Mayor, in the exercise of his discretion, may implement any or all of those elements of Condition II as are deemed necessary at any particular time. All elements of Condition I shall remain in effect in Condition II.

- (1) The sprinkling or watering of lawns is prohibited; provided, however, the Mayor may authorize watering of vegetation as follows:

- (i) The watering of trees; shrubbery; annual, biennial or perennial plants; vines; gardens; vegetables and flowers may be permitted through the means of a hand held hose equipped with a positive shutoff nozzle, a drip irrigation system, a hand held bucket or watering can, or a sprinkler system which is either attended throughout its use or is equipped with an automatic shutoff. When authorized, such water shall be done only on Tuesday, Thursday, Saturday and/or Sunday. When such watering is authorized during the Daylight Savings Time period of the year it shall be permitted only between the hours of 6:00 a.m. and 9:00 a.m. and between

the hours of 6:00 p.m. and 9:00 p.m.

- (ii) The watering of lawns may be permitted once every ten (10) days through the means of a hand held hose equipped with a positive shutoff nozzle, a drip irrigation system, a hand-held bucket or watering can, or a sprinkler system which is either attended throughout its use or is equipped with an automatic shutoff. When authorized, such lawn watering shall be permitted only where the last digit of a customer's street address is the same as the last digit of the calendar date (e.g., a customer with a street number of 102 would be permitted to water only on the 2nd, 12th and 22nd of each month). No such watering is permitted on the thirty-first day of any month. For February, street addresses with the last digit of "9" may water on February 28 and street addresses with the last digit of "0" may water on March 1.
 - (iii) Commercial nurseries shall be excepted from the prohibition of this subparagraph and shall be permitted to water nursery stock by means of a hand held hose equipped with a positive shutoff nozzle, a drip irrigation system, a hand held bucket or watering can, or a sprinkler system which is attended throughout its use. is equipped with an automatic shutoff for recaptures and recirculates irrigation water.
 - (iv) The allowing of water to run off yards or plants into gutters or streets shall be deemed a waste of water and is prohibited.
- (2) The washing of automobiles, trucks, trailers, boats, airplanes and any other type of mobile equipment except that individuals may wash their private cars or boats if they use a bucket, pail, or normal sized receptacles; and further provide, that filling stations shall wash their customers' cars with a bucket, pan, pail or other receptacles not larger than of five-gallon capacity; however, an individual or filling station, after such washing, shall be permitted to rinse the car or boat off with a hose, using only a reasonable amount of water in so doing. Commercial or automatic car wash

establishment shall use minimum practical water settings.

- (3) The washing of building exteriors and interiors, trailers, trailer houses and railroad cars, except that in the interest of public health the director of public health may permit limited use of the water as the case may be.
- (4) The permitting or maintaining of defective plumbing in a home, business establishment or any location where water is used on the premises. The permitting of the wasting of any water by reason of defective plumbing as herein above mentioned shall include the existence of out-of-repair water closets, underground leaks, defective faucets and taps. The permitting of water to flow constantly through a tap, hydrant, valve or otherwise by any user of water connected to the city system, shall be considered as a wasting of water and prohibited by this article.
- (5) The use of fire hydrants for any purpose other than fire fighting is prohibited; except that the Mayor may permit the use of metered fire hydrant water by the city using jet rodding equipment to clear and clean sanitary and storm sewer.
- (6) The use of water in ornamental fountains or in artificial waterfalls where the water is not reused or recirculated in any manner.
- (7) The use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced area, or building or structure.
- (8) The use of water for dust control.
- (9) The use of potable water by a golf course to irrigate any portion of its grounds except those areas designated as tees and greens and only between the hours of 6:00 a.m. and 10:00 a.m. on the designated watering days.
- (10) Any use of water for the purposes or in a manner prohibited in this section shall be deemed to be a waste of water and any person violating any of the provisions of this article and

any person in whose name a water meter connection is registered in the department of public utilities, which water connection serves premises upon which a violation occurs, and proof that the particular premises have a water meter connection registered in the name of the defendant named in the complaint, shall constitute in evidence a prima facie presumption that the person in whom such water connection was registered was the person who permitted or caused the act of waste charged to occur on the premises.

- (11) Concurrently with the implementation of Condition II, the city council shall appoint an allocation and review committee, as hereinafter provided, for the purpose of reviewing water conservation policies and establishing exemptions.

c. Condition III - Water shortage warning. Upon implementation by the Mayor and publication of notice, the following restrictions shall apply to all persons. The Mayor, in the exercise of his discretion, may implement any or all of those elements of Condition III as are deemed necessary at any particular time. All elements of Condition II shall remain in effect in Condition III.

- (1) New service connections to the city's water system are prohibited where some other source independent of the city's water system is existing and in use at the time of passage of this article.
- (2) A mandatory limit of normal water use by customers without use penalty, in amounts as determined by the city council.
- (3) In connection with the enforcement of subsection 2, the city council shall establish a maximum limit beyond which water service will be terminated.
- (4) The use of water to serve a customer in a restaurant unless requested by the customer is prohibited.
- (5) The use of water for the expansion of commercial nursery facilities is prohibited.

- (6) The use of water for scenic and recreational ponds and lakes is prohibited.
 - (7) The use of water for private, single-family residential swimming pools, wading pools, Jacuzzi pools, hot tubs and like or similar uses is prohibited.
 - (8) The use of water for municipally owned swimming pools is prohibited.
 - (9) The use of water for privately owned neighborhood and subdivision swimming pools owned by country clubs, athletic clubs, health clubs, fraternal organizations and other like or similar pools is prohibited.
 - (10) The use of water for hotel, motel, condominium, apartment and other multifamily, residential-user swimming pools, including commercial and business swimming pools is prohibited.
 - (11) The use of water to put new agricultural land into production is prohibited.
 - (12) The use of water for new planting or landscaping is prohibited.
- d. Condition IV - Water shortage emergency. Upon implementation by the Mayor and publication of notice, the following restrictions shall apply to all persons. The Mayor, in the exercise of his discretion, may implement any or all of those elements of Condition IV as are deemed necessary at any particular time. All elements of Condition III shall remain in effect in Condition IV.
- (1) No applications for new, additional, further expanded, or increased in size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved, or installed except as approved by the allocation and review committee.
 - (2) All allocations of water use to industrial and commercial customers in amounts as established after consultation with the allocation and review committee.

- (3) The maximum monthly use for a residential customer be established with revised rate schedules and penalties by the city council on recommendation by the allocation and review committee.
- (4) The city council and Mayor shall take those actions deemed necessary to meet the conditions resulting from the emergency.

ALLOCATION AND REVIEW COMMITTEE; ESTABLISHMENT, COMPOSITION, POWERS AND DUTIES

The allocation and review committee shall be composed of five (5) members, a council person and 4 citizens of the city and shall be appointed and serve at the pleasure of the city council. In addition, five (5) alternate members shall be appointed. Each alternate shall serve in place of his/her respective regular committee member whenever that regular committee member is unavailable to participate. The Mayor shall appoint the regular and alternate member for the council position. The council shall appoint alternates for the members of the committee. Alternates appointed shall have qualifications similar to those of their respective regular member. An alternate serving in place of a regular committee member shall exercise the same powers and have the same duties of a regular member.

The committee shall consider requests of water users for special consideration to be given as to their respective particular circumstances and the committee shall hear and decide such requests and is hereby authorized to, in special cases, grant such variance from the terms of this article as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this article will result in unnecessary hardship, and so that the spirit of this article shall be observed and substantial justice done. Should a permit for special exception be granted by such committee, it shall be in effect from the time of granting; provided, that the permit is prominently posted on the premises within two (2) feet of the street number located on the premises. Should protest be received after the granting of any such special permit, the committee shall consider the revocation of such permit and shall reconsider the granting of such permit at a public hearing, notice of which shall have been given at least one (1) day prior to the holding of such hearing. After the conclusion of such hearing, the committee shall take such action by way of revocation of such permit, or refusal to revoke the same, or modification of such permit as the committee may deem proper under the circumstances.

VIOLETIONS, PENALTY AND ENFORCEMENT

- A. Any person violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction shall be punished by a fine as provided in section 1-6 of this code. The commission of a violation of each provision, and each separate violation thereof, shall be deemed a separate offense, in and upon conviction thereof shall be fined as herein above provided. If any person or a second person in the same household or premises, is found guilty of a second violation of this article, the Mayor shall be authorized to discontinue water service to the premises where such violation occurs.
- B. Any Code Enforcement Officer, or other city employee designated by the Mayor, may issue a citation to a person he reasonably believes to be in violation of this article. 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 to appear in the City's Council no sooner than ten (10) days and no later than twenty one (21) days of service of the citation. The alleged violator shall be requested to sign the citation, and shall be served a copy of the citation. Service of the citation shall be complete upon the attempt to give it to the alleged violator, to an agent or employee of a violator, or to a person over fourteen (14) years of age who is a member of the violator's immediate family or is a resident at the violator's residence.
- C. A person in apparent control of the property where the violation occurs or originates shall be presumed to be the violator, and proof of facts showing apparent control by such person of the premises and proof that the violation occurred on the premises shall constitute prima facie evidence that said person committed the violation, but said person shall have the right to show that he did not commit the violation. Any person whose name is on file with the utilities department as the customer on the water account for the property where the violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on said premises shall constitute prima facie evidence that the customer committed the violation, but said customer shall have the right to show that he did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children, and proof that a child committed a violation on property within the parent's control shall constitute prima facie evidence that said parent committed the violation, but said parent may be excused if he proves that he had previously directed the child not to use the water as it was used in the violation and that the parent could not have reasonably known of the violation.

SURCHARGES AND TERMINATION OF SERVICE

A. This article is passed to implement and enforce the mandatory limits on water usage called for in Condition III of the city's emergency water conservation ordinance. The surcharges established herein are solely intended to regulate and deter the use of water during a period of serious drought in order to achieve necessary water conservation. The city council expressly finds that the drought poses a serious and immediate threat to the general and economic health and welfare of this community, and that the surcharges and other measures adopted herein are essential to protect said public health and welfare. This section, and the surcharges and measures adopted herein are purely an exercise of the city's regulatory and police power, and the surcharges and connection fees herein are in no way to be considered rates for production of revenue. All monies collected from surcharges shall be placed in a special fund to be used for research and development of alternative or expanded water sources for the City and its water customers.

B. Residential water customers shall pay the following surcharges:

1. Three dollars (\$3.00) for the first one thousand (1,000) gallons over allocation.
2. Five dollars (\$5.00) for the second one thousand (1,000) gallons over allocation.
3. Ten dollars (\$10.00) for the third one thousand (1,000) gallons over allocation.
4. Twenty-five dollars (\$25.00) for each additional one thousand (1,000) gallons over allocation.

Allocations to residential customers shall be as follows:

Persons per Household	Gallons per Month
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

The surcharges shall be cumulative.

"Household" means the residential premises served by the customer's meter. **"Persons per household"** includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of two (2) persons unless the customer notifies the city of a greater number, on a form prescribed by the Mayor, by (), 1996. The Mayor shall give his best effort to see that such forms are mailed to every residential customer. If, however, a customer does not receive such a form by (), 1996, it shall be the customer's responsibility to go to the city public utility office and sign the form if the customer desires to claim more than two (2) persons. New customers may claim more persons at the time of applying for their water service on the form prescribed by the Mayor. When the number of persons in a household increases so as to place the customer in a different category, the customer may notify the city of the change on such form, and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the city in writing within two (2) days. In prescribing the method for claiming more than two (2) persons, the Mayor shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the city of a reduction in the number of persons in a household shall be fined not less than two hundred dollars (\$200.00).

- C. A customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (for example, apartments, mobile homes) shall be allocated six thousand (6,000) gallons for each dwelling unit. It shall be assumed that such a customer's meter serves two (2) dwelling units unless the customer notifies the city of a greater number, on a form prescribed by the Mayor, by (), 1996. The Mayor shall give his best effort to see that such forms are mailed to every such customer. If, however, such customer does not receive such a form by (), 1996, it shall be the customer's responsibility to go to the city public utility office and sign the form if the customer desires to claim more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for their water service on the form prescribed by the Mayor. If the number of dwelling units served by a master meter is reduced, the customer shall notify the city in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the Mayor shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units on a meter or fails to notify the city of a reduction in the number of dwelling units on a meter shall be fined not less

than two hundred dollars (\$200.00). "Person" includes individuals, partnerships, associations, corporations, and all other legal entities. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

1. Three dollars (\$3.00) for each one thousand (1,000) gallons over allocation up through one thousand (1,000) gallons for each dwelling unit.
2. Five dollars (\$5.00), thereafter, for each additional one thousand (1,000) gallons over allocation up through a second one thousand (1,000) gallons for each dwelling unit.
3. Ten dollars (\$10.00), thereafter, for each additional one thousand (1,000) gallons over allocation up through a third one thousand (1,000) gallons for each dwelling unit .
4. Twenty-five dollars (\$25.00), thereafter, for each additional one thousand (1,000) gallons over allocation.

Examples of applications of the surcharge formula are as follows:

Apartment complex contains one hundred (100) units.
Allocation is six hundred thousand (600,000) gallons
(hypothetically):

- a. Usage is 610,000 gallons. Surcharge is \$30.00, computed as follows: 10 thousands of gallons at \$3.00 each.
- b. Usage is 710,000 gallons. Surcharge is \$350.00, computed as follows: 100 thousands of gallons at \$3.00 each plus 10 thousands of gallons at \$5.00 each.
- c. Usage is 910,000 gallons. Surcharge is \$2,050.00, computed as follows: 100 thousands of gallons at \$3.00 each plus 100 thousands of gallons at a \$5.00 each plus 100 thousands of gallons at \$10.00 each plus 10 thousands of gallons at \$25.00 each.

D. A monthly **water usage** allocation shall be established by the **Mayor** or his designee for **each nonresidential water customer**. Such allocation shall be approximately **seventy-five (75) per cent** of the customer's usage for the corresponding month's billing period for the twelve (12) months ending in (), 19??. If the customer's billing history is shorter than twelve (12) months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. Provided, however, a customer, **seventy-five (75) percent** of whose monthly usage is less than six thousand (6,000) gallons, shall be allocated six thousand (6,000) gallons. The Mayor shall give his best effort to see that notice of each nonresidential customer's allocation is mailed to such customer. If, however, the customer does not receive such notice, it shall be the customer's responsibility to contact the city public utilities department to determine the allocation, and the allocation shall be fully effective notwithstanding lack of receipt of written notice. Upon request of the customer or at the initiative of the Mayor, the allocation may be reduced or increased:

1. If the designated period does not accurately reflect the customer's normal water usage,
2. If one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or
3. If other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.

A customer may appeal an allocation established hereunder to the water allocation and review committee on grounds of unnecessary hardship.

E. Nonresidential customers shall pay the following surcharges:

1. Customers whose allocation is six thousand (6,000) gallons through twenty thousand (20,000) gallons per month.
 - a. Three dollars (\$3.00) per one thousand (1,000) gallons for the first two thousand (2,000) gallons over allocation.
 - b. Five dollars (\$5.00) per one thousand (1,000) gallons for the second two thousand (2,000) gallons over allocation.
 - c. Ten dollars (10.00) per one thousand (1,000) gallons

for the third two thousand (2,000) gallons over allocation.

- d. Twenty-five dollars (\$25.00) per one thousand (1,000) gallons for all amounts over six thousand (6,000) gallons over allocation.

The surcharges shall be cumulative.

- 2. Customers whose allocation is twenty-one thousand (21,000) gallons per month or more:
 - a. One times the block rate for each one thousand (1,000) gallons in excess of the allocation up through five (5) per cent above allocation.
 - b. Three (3) times the block rate for each one thousand (1,000) gallons from five (5) per cent through ten (10) per cent above allocation.
 - c. Five (5) times the block rate for each one thousand (1,000) gallons from ten (10) per cent through fifteen (15) per cent above allocation.
 - d. Ten (10) times the block rate for each one thousand (1,000) gallons more than fifteen (15) per cent above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per one thousand (1,000) gallons at the regular water rate schedule at the level of the customer's allocation.

- F. When a nonresidential customer is billed from a master meter which jointly measures water to multiple residential dwelling units (for example: apartments, mobile homes), the customer may pass along any surcharges assessed under this section to the tenants or occupants, provided that:

- 1. The customer notifies each tenant in writing:
 - a. That the surcharge will be passed along.
 - b. How the surcharge will be apportioned.
 - c. That the landlord must be notified immediately of any plumbing leaks.
 - d. Of methods to conserve water (which shall be obtained from the

city).

2. The customer diligently maintains the plumbing system to prevent leaks.
3. The customer installs water saving devices and measures (ideas for which are available from the city) to the extent reasonable and practical under the circumstances.

The surcharge shall be passed along, where permissible, to dwelling units in proportion to the rent or price charged for each dwelling unit.

G. Water service to the customer may be terminated under the following conditions:

1. Monthly residential water usage exceeds allocation by four thousand (4,000) gallons or more than two (2) or more times (which need not be consecutive months).
2. Monthly water usage on a master meter which jointly measures water usage to multiple residential dwelling units exceeds allocation by four thousand (4,000) gallons times the number of dwelling units or more two (2) or more times (which need not be consecutive months).
3. Monthly nonresidential water usage for a customer whose allocation is six thousand (6,000) gallons through twenty thousand (20,000) gallons exceeds its allocation by seven thousand (7,000) gallons or more two (2) or more times (which need not be consecutive months).
4. Monthly nonresidential water usage for a customer whose allocation is twenty-one thousand (21,000) gallons or more exceeds its allocation by fifteen (15) per cent or more two (2) or more times (which need not be consecutive months).

For residential customers and nonresidential customers whose allocation does not exceed twenty thousand (20,000) gallons, after the first disconnection water service shall be restored upon request for a fee of fifty dollars (\$50.00). For such customers, after the second disconnection, water service shall be restored within twenty-four (24) hours of the request for a fee of five hundred dollars (\$500.00). If water service is disconnected a third time for such customer, water service shall not be restored until the city reenters a level of water conservation less than Condition III. For master meter customers, the service restoration fees shall be the same as above times the number of

dwelling units. For nonresidential customers whose allocation is twenty-one thousand (21,000) gallons per month or more, after the first disconnection water service shall be restored upon request for a fee in the amount of "X" in the following formula:

$$X = \frac{\$50 \times \text{Customer's Allocation, gallons}}{20,000 \text{ gallons}}$$

After the second disconnection for said customers, water service shall be restored within twenty-four (24) hours of the request for a fee of ten (10) times "X". If water service is disconnected a third time for such customer, water service shall not be restored until the city reenters a level of water conservation less than Condition III. The Mayor is directed to institute written guidelines for disconnection of water service under this provision which will satisfy minimum due process requirements, if any.

- H. It shall be a defense to imposition of a surcharge hereunder, or to termination of service, that water used over allocation resulted from loss of water through no fault of the customer (for example, a major waterline break). The customer shall have the burden to prove such defense by objective evidence (for example, a written certification of the circumstances by a plumber). A sworn statement may be required of the customer. This defense shall not apply if the customer failed to take reasonable steps for upkeep of the plumbing system, failed to reasonably inspect the system and discover the leak, failed to take immediate steps to correct the leak after discovered, or was in any other way negligent in causing or permitting the loss of water.
- I. When this section refers to allocation or water usage periods as "month," "monthly," "billing period," and like, such references shall mean the period in the city's ordinary billing cycle which commences with the reading of a meter one month and commences with the next reading of that meter which is usually the next month. The goal for the length of such period is thirty (30) days, but a variance of two (2) days, more or less, will necessarily exist as to the particular meters. If a meter reader is prevented from timely reading a meter by a dog or any other obstacle which is attributable to the customer, the original allocation shall apply to the longer period without modification.
- J. The limits, charges, and other requirements of this section shall be in effect for water used on or after _____, 1996, as reflected on water bills showing a "service from" date of _____, 1996, or thereafter.

ORDINANCE # 1996-03
WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

A. The Water Conservation and Drought Contingency Plan for the City of Ingleside on The Bay dated May 7, 1996, a true copy of which is on file in the office of the city secretary, is adopted, and shall be followed in matters concerning water conservation drought management, and water supply enhancement programs.

PASSED , APPROVED AND ADOPTED this the 7th day of May, 1996.

CITY OF INGLESIDE ON THE BAY

By: _____

Alfred Robbins
Alfred Robbins, Mayor

ATTEST:

Patricia D. Westberry

Patricia D. Westberry
City Secretary

**CITY OF INGLESIDE ON THE BAY
GUIDELINES FOR IMPLEMENTATION OF DROUGHT
CONTINGENCY CONDITIONS I & II**

MAY 7, 1996

THE FOLLOWING **GUIDELINES** ARE HEREBY ESTABLISHED FOR THE IMPLEMENTATION OF **DROUGHT** CONDITIONS I & II OF THE CITY OF INGLESIDE ON THE BAY'S **WATER CONSERVATION & DROUGHT CONTINGENCY PLAN** ADOPTED BY **ORDINANCE 1996-03** ON MAY 7, 1996.

I. CONDITION I -- WATER SHORTAGE POSSIBILITY

DESIGNATED WATERING DAYS:

Watering of vegetation be permitted based on street address, as designated by the Mayor. The Mayor should designate once a week watering based on the following schedule:

<u>Address ends with</u>	<u>Watering Day</u>
0 or 1	Monday
2 or 3	Tuesday
4 or 5	Wednesday
6 or 7	Thursday
8 or 9	Friday

RESTRICTED HOURS: Except as indicated below, watering of vegetation be prohibited between 10 a.m and 6 p.m.

EXCEPTIONS: The Mayor should authorize the watering of vegetation, at the minimum rate necessary, as follows:

- (1.) Watering of other vegetation (flower gardens, vegetable gardens, fruit gardens, trees and shrubs, or plants in containers - except lawns) is permitted any day of the week, except between the hours of 10 am. and 6 p.m., through the means of a hand held hose equipped with an automatic shutoff device, a soaker hose which does not spray into the air and is equipped with an automatic shutoff device, a root feeder equipped with an automatic shutoff device, or a hand held bucket or watering can.
- (2.) Watering of commercial nursery stock is permitted at any time by means of a hand held hose equipped with a positive shutoff nozzle, a sprinkler system, a drip irrigation system or soaker hose equipped with an automatic shutoff device, root feeder equipped with an automatic shutoff device, or a hand held bucket or watering can.
- (3.) Watering of newly planted lawns and plant materials is permitted, other than during the hours of 10 a.m. to 6 p.m., by any means within thirty (30) days of planting.

- (4.) Watering using wastewater treatment plant effluent, graywater, well water , or other water not obtained from the City water system is permitted, other than during the hours of 10 a. m. to 6 p. m., by any means. However, the use of well water that is not mixed with any water from the City's water supply may be used at any hour.
- (5.) Watering of golf course greens and tee boxes is permitted, other than during the hours of 10 a. m. to 6m p. m.
- (6.) Use of sprinkler systems for short periods of time for testing for installation, maintenance and repair purposes is permitted any time.

II. CONDITION II - WATER SHORTAGE WATCH

Priority will be given to implementing elements of Condition II designed to achieve measurable reductions in water use while minimizing the impacts on employment in the region. The items to be implemented at any point in Condition II will be based on the outlook for an increase in water supply at that time.

IMMEDIATE MEASURES In order to immediately reduce water demand , the following elements of Condition II should be implemented as soon as condition II is declared:

- (1) All Condition I measures continue in effect, including vegetation watering restrictions.
- (2) Wash vehicles only from a bucket, or at a commercial car wash.
- (3) No washing of buildings, except by commercial operators.
- (4) Defective plumbing allowing wste of water must be repaired or shut off.
- (5) Shut off water in ornamental fountains.
- (6) No use of water to wash down sidewalks, driveways, parking lots, etc..

WATER ALLOCATION AND REVIEW COMMITTEE: Within two (2) months after implementing Condition II, depending on the reservoir storage conditions at the time, the City Council should appoint members of the Water Allocation Review Committee.

SUBSEQUENT MEASURES: If reservoir storage conditions continue to decline, additional measures that may impact employment in the area would eventually need to be implemented. These measures might include:

- (7) Changing frequency of designated vegetation watering days.
- (8) No washing of buildings, including commercial operators.
- (9) No use of fire hydrants except for fire fighting.
- (10) No water for dust control.

III. IMPLEMENTATION SCHEDULE FOR CONDITIONS I & II

- 5-8-96 **Implement Condition I - Water Shortage Possibility**
 * Mandatory water use reductions for City government operations

- * **Departments required** to reduce water use by 15%
- * **Request voluntary water** use reductions by general public
- * **Urge voluntary** reductions of 15%
- * **Information and education** activities on drought management measures.
- * **Utility bill inserts, media coverage, & public service announcements**
- * **Water running in gutter** or street deemed to be a waste and prohibited.
- * **Odd/Even address lawn** watering restrictions to be implemented
- * **Once per week; no watering** between 10 a.m. and 6 p.m.
- * **All weekend watering** prohibited

5-8-96 Implement Condition II -- Water Shortage Watch

- * All **Condition I measures** continue in effect, however odd/even watering restrictions changed to **more restrictive** vegetation watering limitations on designated days, with specific exceptions allowed.
- * **No use of water** to wash down sidewalks, driveways, parking lots, etc.
- * **Shut off water** in ornamental fountains.
- * **No washing of buildings**, except by commercial operators.
- * **Wash vehicles only** from a bucket, or at a commercial car wash
- * **Defective plumbing** allowing waste of water must be repaired or shut off.

7-8-96 City Council appoints Water Allocation and Review Committee

- To be determined**
- * **Additional vegetation** watering restrictions
 - * **No washing of buildings**, including commercial operators
 - * **No use of fire hydrants** except for fire fighting
 - * **No water for dust control**

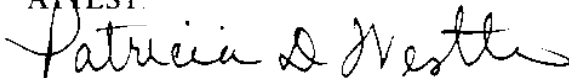
READ, PASSED and APPROVED this , the 7th day of May 1996

APPROVED:



Alfred Robbins, Mayor
Ingleside on the Bay

ATTEST:



Patricia D. Westberry
City Secretary
Ingleside on the Bay

MANDATORY 5-DAY LAWN WATERING SCHEDULE NOW IN EFFECT!

- ◆ MANDATORY 5-day watering schedule
- ◆ No watering between 10 am and 6 pm
- ◆ Fine and discontinuation of water service for failure to comply
- ◆ Register your well with City Hall at 776-5451 place sign on property stating "well in use".
- ◆ You are permitted to water trees, shrubs, plants and gardens any day of the week, except between the hours of 10 am and 6 pm.
- ◆ Water run off from yards or plants into gutters or streets is deemed wasteful and is discouraged.

WATERING SCHEDULE					
IF YOUR ADDRESS END IN:	THESE ARE YOUR WATER DAYS				
	2001				
	August	September	October	November	December
0 or 9	1, 6, 11, 16, 21, 26, 31	5, 10, 15, 20, 25, 30	5, 10, 15, 20, 25, 30	4, 9, 14, 19, 24, 29	4, 9, 14, 19, 24, 29
1 or 8	2, 7, 12, 17, 22, 27	1, 6, 11, 16, 21, 26	1, 6, 11, 16, 21, 26	5, 10, 15, 20, 25, 30	5, 10, 15, 20, 25, 30
2 or 7	3, 8, 13, 18, 23, 28	2, 7, 12, 17, 22, 27	2, 7, 12, 17, 22, 27	1, 6, 11, 16, 21, 26	1, 6, 11, 16, 21, 26
3 or 6	4, 9, 14, 19, 24, 29	3, 8, 13, 18, 23, 28	3, 8, 13, 18, 23, 28	2, 7, 12, 17, 22, 27	2, 7, 12, 17, 22, 27
4 or 5	5, 10, 15, 20, 25, 30	4, 9, 14, 19, 24, 29	4, 9, 14, 19, 24, 29	3, 8, 13, 18, 23, 28	3, 8, 13, 18, 23, 28

The City of Ingleside on the Bay purchases water from the City of Ingleside. The City of Ingleside contracts the purchase of water from the San Patricio Municipal Water District (SPMWD). SPMWD customers account for approximately 20% of the total demand for water from the regional water supply system managed by the City of Corpus Christi. When water conservation measures are enacted by the City of Corpus Christi, SPMWD requires that their customers observe those same guidelines.

As present combined capacities of the reservoir system are less than 30%, the City of Corpus Christi has enacted the next stage of their water management plan. During this phase, lawn watering is only permitted one day during a five day schedule, and is prohibited altogether between the hours of 10:00 a.m. and 6:00 p.m.

The City of Ingleside on the Bay requires all customers of its water system to recognize the five-day lawn watering schedule and the watering prohibition during the hours of 10:00 a.m. to 6:00 p.m. If a customer has recently placed new grass on their lawn, please contact City Hall at 776-5451 for details. Any customers that water their lawn with well water must post a sign in a visible area.

2001 LAWN WATERING SCHEDULE

City of Ingleside on the Bay
PO Box B
Ingleside, TX 78362

HELPFUL HINTS FOR SAVING WATER

- ◆ Raise the blade on your lawn mower to shade the roots
- ◆ If it rains an inch or more, do not water on your designated day
- ◆ Mulch trees and plants to retain moisture and prevent evaporation
- ◆ Avoid watering during the windiest time of day
- ◆ Use irrigation sprinklers that release large droplets of water instead of misters
- ◆ Use drip irrigation hoses whenever possible to prevent water runoff
- ◆ Use positive shutoff nozzles on hand-held hoses
- ◆ Keep your plumbing in good repair and follow City code