

ORDINANCE 2015- 13

**AN ORDINANCE OF THE CITY OF UVALDE, TEXAS AMENDING  
TITLE 13, CHAPTER 13.20.60 OF THE CITY OF UVALDE MUNICIPAL  
CODE TO CREATE CRITICAL PERIOD WATER REGULATIONS.**

**WHEREAS**, the City Council of the City of Uvalde desires to promote public welfare and quality of life through the efficient use of our precious natural resources, and;

**WHEREAS**, the purpose of the City of Uvalde Water Resources Optimization Plan-Drought Contingency and Critical Period Management is to have a plan in place to respond to emergency water shortage situations brought about by such things as severe drought, equipment failure, or pumping restrictions imposed by the EAA or other regulatory entities, and;

**WHEREAS**, the City Council of the City of Uvalde finds it necessary to conserve the available water supply and protect the integrity of water supply facilities, with particular regard to 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.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS:**

**Section 1. Adoption of Findings of Fact.** The findings and recitations set out in this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Amendment of Chapter 13.20 of the Uvalde Municipal Code of Ordinances.** Chapter 13.20.60 of the Uvalde Municipal Code of Ordinances is amended to adopt the following changes to Chapter 2 Drought Contingency and Critical Period Management of the City of Uvalde Water Optimization Plan to read as follows:

**U. Designated Landscape Irrigation Times and Days & Drought Restrictions**

During any period when Stages II, III, IV or V have been declared to be in effect, water use is restricted in addition to regular conservation methods as follows:

Regular conservation measures:

- Water waste is prohibited at all times. Water waste includes allowing water to run off into a gutter, ditch, or drain; or failing to repair a controllable leak.
- Landscape watering with an irrigation system, sprinkler or soaker hose is allowed before 10 a.m. and after 6 p.m.
- Watering with drip irrigation or 5-gallon bucket is permitted any day, but only between 6 p.m. and 10 a.m.
- Watering with a hand-held hose is allowed any time on any day. Hand-held hoses must be equipped with a positive pistol grip nozzle or other device that automatically shuts off

water flow when the hose is not being used.

- Trees may be watered at any time and any day using a hand-held hose, soaker hose, drip irrigation or five gallon bucket. Trees may be flood irrigated if a berm is created surrounding the tree that does not allow water to escape and is no larger than 20 feet in diameter.
- Foundations may be watered at any time and any day using a soaker hose for the purpose of preventing settling and other foundation problems.
- Washing impervious cover such as, but not limited to, parking lots, driveways, streets or sidewalks is prohibited except for health and safety or surface preparation for painting.
- Vehicles may be washed on pervious cover on watering days. Use of commercial car wash facilities is allowed any day.
- Children's toys, such as slip-in-slides, kiddie pools, and sprinklers are allowed any day at any time, but must be placed over pervious cover and no water may be allowed to run off into a gutter, ditch or drain. Toys must be covered or turned off when not in use.

#### For STAGE II:

- All regular measures remain in effect, unless added to or replaced by Stage II rules.
- Landscape watering with an irrigation system, sprinkler or soaker hose is allowed only before 8 a.m. and after 6 p.m. on your designated watering days.
- Watering with drip irrigation or 5-gallon bucket is permitted any day, but only between 8 p.m. and 10 a.m.
- Washing impervious cover such as, but not limited to, parking lots, driveways, streets or sidewalks is prohibited except for health and safety or surface preparation for painting with a permit.
- Vehicles may be washed on impervious cover on Saturday or Sunday. Use of commercial car wash facilities is allowed any day.
- All restaurants serve water to patrons only on request.
- Hotels, motels and other lodgings must offer and clearly notify guests of a "linen/towel change on request only" program.
- All non-public swimming pools must have a minimum of 25% of the surface area covered when not in use. The use of a chemical additive that prevents evaporation will satisfy this requirement. Water may be added to pools on watering days.
- Use of fountains, waterfalls, or other aesthetic water features is prohibited, unless a variance has been granted for 100 percent non-potable water.
- Drought Surcharge: Multiply the existing rates for Tier 2 by 115% and Tier 3 by 125%, Secondary irrigation meters will be charged at Tier 3 rates.

#### For STAGE III:

- All restrictions from Stage II remain in effect, unless added to or replaced by Stage III rules.
- Landscape watering with an irrigation system, sprinkler or soaker hose is allowed only before 8 a.m. and after 6 p.m. on your designated watering days.
- Watering with a hand-held hose is allowed any day before 8 a.m. and after 6 p.m.
- Pools over 7,500 gallons may not be filled with municipal water.
- Hotels, motels and other lodgings have a mandatory 3 day or checkout linen/towel change.



- Drought Surcharge: Multiply the existing rates for Tier 2 by 125% and Tier 3 by 175%

For Stage IV:

- All restrictions from Stage III remain in effect unless added to or replaced by Stage IV rules.
- Landscape watering with an irrigation system, sprinkler or soaker hose is allowed only between 6 and 8 a.m. and 8 and 10 p.m. on garbage collection day.
- Watering with drip irrigation or 5-gallon bucket is permitted only once per week on garbage collection day.
- Drought Surcharge: Multiply the existing rates for Tier 2 by 150% and Tier 3 by 250%

For Stage V:

- All restrictions from Stage IV remain in effect unless added to or replaced by Stage V rule.
- Drought Surcharge: Multiply the existing rates for Tier 2 by 200% and Tier 3 by 300%
- Further rules to be determined by City Council.

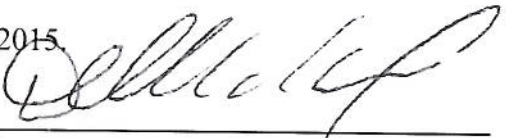
**Section 4. Amendment Of Ordinances.** Chapter 13.20 of the Uvalde Municipal Code of Ordinances, is hereby amended as provided in this ordinance, and all prior ordinances of the City dealing in said location are hereby amended to the extent of any conflict herewith, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern

**Section 5. Severability.** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.


**Section 6. Effective Date.** This Ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

**Section 7. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED, this the 13<sup>th</sup> day of October, 2015

  
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Don McLaughlin, Mayor

**ATTEST:**

  
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Susan M. Stewart, City Secretary