



## City of Garden Ridge

9400 Municipal Parkway  
Garden Ridge, Texas 78266-2600  
(210) 651-6632  
Fax (210) 651-9638

### AGENDA REGULAR CITY WATER COMMISSION MEETING

Tuesday, March 25, 2014 at 6:00 P.M.

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The Garden Ridge City Water Commission will meet in regular session on Tuesday, March 25, 2014 at 6:00 p.m. in the City Council Chambers, City Hall, 9400 Municipal Parkway, Garden Ridge, Texas. This meeting is open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on Friday, March 21, 2014 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours in advance of this meeting.

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1. Call to Order
2. Roll Call
3. Citizen's Participation – 3 minute limit per citizen

**Rules for Citizen's Participation:**

The Water Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our appointed officials, we must request that if you wish to speak, that you please follow these guidelines.

- a. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b. Show the Water Commission the same respect and courtesy that you would like to be shown.
- c. Limit remarks to three (3) minutes per citizen during Item 3.
- d. Citizen comments may be deferred to a specific Business Item set forth in Section 5, below, if such comments pertain to such Business Item.

*NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject **must be limited** to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the Commission is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.*

4. Approval of Minutes
  - a) February 25, 2014 Regular Water Commission Meeting
5. Business Items

The City Water Commission may discuss, consider and/or take possible action on recommendation to the City Council on the following:

- a) Update on Comprehensive Water Plan assignments/projects
  - b) Water Conservation Public Awareness Program for the City of Garden Ridge
  - c) Request from Krippco Enterprises, Inc. for a variance to water new landscape installation for the Woodlands of Garden Ridge located on the west side of Bat Cave Road northwest of its intersection with Schoenthal Road
  - d) Water Rate Increase for the City of Garden Ridge
  - e) Review of watering hours at various stages of drought management plan with possible amendment to allowed watering hours
  - f) Possible amendments to Ordinance 61 establishing the drought management plan for the City of Garden Ridge
  - g) Report on the Habitat Conservation Plan for the EAA and the area
6. Update on actions taken by the City Council in previous City Council Meetings
7. Water Manager Monthly Activity Report
- a) Water pumping/usage from city wells
  - b) Water system infrastructure maintenance, repairs and/or projects
  - c) Static levels, drawdown levels and flow rates on the Trinity Well
  - d) Water and/or Drought Management
8. Adjourn

**AGENDA NOTICES:**

**Decorum Required:**

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

**Action by Commission Authorized:**

The Commission may vote and/or act upon any item within this Agenda. The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered

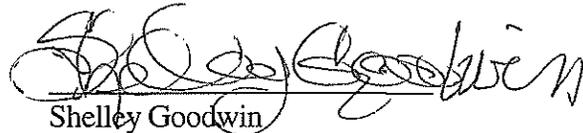
necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

**Executive Sessions Authorized:**

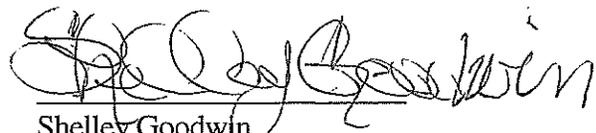
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

**Attendance By Other Elected or Appointed Officials:**

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

  
Shelley Goodwin  
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 2:10 p.m. on March 21, 2014 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

  
Shelley Goodwin  
City Secretary



**City of Garden Ridge**

9400 Municipal Parkway  
Garden Ridge, Texas 78266-2600  
(210) 651-6632  
Fax (210) 651-9638

**MINUTES OF CITY WATER COMMISSION REGULAR MEETING**  
**FEBRUARY 25, 2014**

**Members Present:**

Chairman Jim Bower  
Commissioner David Heier  
Commissioner Jim Kohl  
Commissioner Ray Pitzen

**Member Absent:**

Mayor Dalton, Ex-officio member  
Commissioner Pat Ramirez  
Commissioner Richard Holloway

**City Staff Present:**

Nancy Cain, City Administrator  
Royce Goddard, Water Department Manager  
Shelley Goodwin, City Secretary

**1. Call to Order**

With a quorum of the City Water Commissioner present, Chairman Bower called the regular meeting of the Garden Ridge City Water Commission to order at 6:00 p.m. on Tuesday, February 25, 2014, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

**2. Citizen's Participation – 3 minute limit per citizen**

No Comments

**3. Approval of Minutes**

**a) January 28, 2014 Regular Water Commission Meeting**

**Motion:** A motion was made by Commissioner Kohl, and seconded by Commissioner Heier, to approve the minutes of the January 28, 2014 Water Commission Meeting. The Water Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

**4. Business Items**

**The City Water Commission may discuss, consider and/or take possible action on recommendation to the City Council on the following:**

**a) Update on Comprehensive Water Plan assignments/projects**

Commissioner Kohl provided copies for the proposed amendment to Ordinance 61 and Irrigation Systems changes. He asked that everyone review and provide their comments at the next scheduled Water Commission meeting.

The Commission discussed irrigation systems and the need for warning tickets.

**b) Water Conservation Public Awareness Program for the City of Garden Ridge**

The Commission discussed the Public Awareness Campaign and different ways to get the word out to the public. They requested a link be set up on the City website and an article be placed in the Grapevine.

**c) Request from Krippco Enterprises, Inc. for a variance to water new landscape installation for the Woodlands of Garden Ridge located on the west side of Bat Cave Road northwest of its intersection with Schoenthal Road.**

Chris Box, Krippco Enterprises, Inc. stated he is requesting a variance to water new landscape installation at the Woodlands of Garden Ridge. He stated the watering would be to get the new landscaping established after installation by the end of April. He stated he is requesting to water every evening depending on the weather between 8:00 pm and 2:00 am for two to three weeks. He also stated after two to three weeks of daily watering he could then reduce the watering to two to three times a week until the sod is established.

The Commission discussed the use of xeriscaping, hydroseeding and the number of hours needed for watering while landscaping is getting established.

**Motion:** A motion was made by Commissioner Kohl, and seconded by Commissioner Heier, for the developer and landscaper to come back to the Commission with a design that includes more xeriscaping and some grass restrictions for the Water Commission to vote on at their next regular scheduled Commission meeting. The Water Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

**d) Request for water service from the City of Garden Ridge to a 232 acre tract projected as a residential development of approximately 188 lots with a small portion of the tract located within the City of Garden Ridge but tract predominately located in the City of San Antonio ETJ and SAWS CCN and further located northwest and adjacent to Georg Ranch subdivision off F.M. 3009. Request also includes a possible dual CCN between SAWS and the City of Garden Ridge**

George Weron, KFW, stated this request is a follow up request from the January 28<sup>th</sup> Water Commission meeting. He stated the project is approximately 232 acres with a projected 188 lots off of FM 3009. This tract is located partially within the City and predominately in the City of San Antonio ETJ. He also stated the CCN for the project is similar to the City limits line with SAWS controlling the CCN within San Antonio's ETJ. He has spoken to SAWS and they have stated a dual CCN would be agreeable.

The Water Commission discussed the request and felt that the property should be annexed into the City of Garden Ridge to receive City water service.

**Motion:** A motion was made by Commissioner Heier, and seconded by Commissioner Pitzen, recommended the City not provide water services to the tract and not to consider the developer's request for a dual CCN between SAWS and City of Garden Ridge. The Water Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

e) **Possible amendments to Ordinance 61 establishing the drought management plan for the City of Garden Ridge**

Jim Bower, Water Commission Chair, asked the Commissioners to review the proposed changes and bring back any concerns to the March 25<sup>th</sup> Water Commission meeting.

**5. Update on actions taken by the City Council in previous City Council Meetings**

Nancy Cain, City Administrator, stated there were no actions taken regarding water at the previous City Council meeting.

**6. Water Manager Monthly Activity Report**

a) **Water pumping/usage from city wells**

Royce Goddard, Water Manager Director reviewed the monthly water pumping/usage from the city wells and discussed the water system operations (see attached).

b) **Water system infrastructure maintenance, repairs and/or projects**

Nothing to report at this time

c) **Static levels, drawdown levels and flow rates on the Trinity Well**

Royce Goddard, Water Manager Director reported that the drawdown level was at 106.2 feet and that when the well turns off, the water level returns to the current static level of 178.2 feet.

d) **Water and/or Drought Management**

The City of Garden Ridge is still currently at Stage 2 Watering Restrictions. Royce Goddard stated Green Valley new Trinity Well went online on January 23<sup>rd</sup> and he hasn't seen any effects in the Trinity levels.

**7. Adjourn**

**Motion:** Upon a motion made by Commissioner Pitzen and a second by Commissioner Heier, the meeting was adjourned at 6:33 p.m.

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Jim Bower, Chair

**ATTEST:**

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Shelley Goodwin, TRMC  
City Secretary

**SIGN IN TO SPEAK AT THE FEBRUARY 25, 2014  
WATER COMMISSION REGULAR MEETING**

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**Disclaimer:**

Any disruptive behavior, including shouting or derogatory statements or comments, will be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

NAME

ADDRESS

SUBJECT

|     |       |       |
|-----|-------|-------|
| 1.  | _____ | _____ |
| 2.  | _____ | _____ |
| 3.  | _____ | _____ |
| 4.  | _____ | _____ |
| 5.  | _____ | _____ |
| 6.  | _____ | _____ |
| 7.  | _____ | _____ |
| 8.  | _____ | _____ |
| 9.  | _____ | _____ |
| 10. | _____ | _____ |

**Water Commission**  
**As Of 25 February 2014**

|              | 2013                                    |               |               |                    |               |               | 2014                    |             |              |                   |              |              |   |  |
|--------------|---|---------------|---------------|--------------------|---------------|---------------|-------------------------|-------------|--------------|-------------------|--------------|--------------|---|--|
|              | Edwards                                 |               |               | Trinity            |               |               | Edwards                 |             |              | Trinity           |              |              |   |  |
|              | Gallons                                 | Acres         | Feet          | Gallons            | Acres         | Feet          | Gallons                 | Acres       | Feet         | Gallons           | Acres        | Feet         |   |  |
| January      | 193,000                                 | 0.59          | 53.08         | 17,104,000         | 52.49         | 215.67        | 0                       | 0.00        | 51.38        | 16,743,000        | 51.38        | 51.38        |   |  |
| February     | 719,000                                 | 2.21          | 68.06         | 21,458,000         | 65.85         | 215.67        | 0                       | 0.00        | 45.16        | 14,717,000        | 45.16        | 45.16        |   |  |
| March        | 4,110,000                               | 12.61         | 94.53         | 26,692,000         | 81.91         | 215.67        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 96.55        |   |  |
| April        | 9,909,000                               | 30.41         | 77.04         | 15,193,000         | 46.63         | 249.08        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| May          | 7,721,000                               | 23.69         | 78.89         | 17,984,000         | 55.19         | 249.08        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| June         | 6,332,000                               | 19.43         | 93.16         | 24,024,000         | 73.73         | 249.08        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| July         | 13,417,000                              | 41.18         | 119.92        | 25,658,000         | 78.74         | 249.08        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| August       | 16,315,000                              | 50.07         | 136.41        | 28,135,000         | 86.34         | 330.73        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| September    | 6,103,000                               | 18.73         | 74.40         | 18,140,000         | 55.67         | 330.73        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| October      | 26,000                                  | 0.08          | 53.36         | 17,363,000         | 53.29         | 330.73        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| November     | 866,000                                 | 2.66          | 50.20         | 15,491,000         | 47.54         | 150.24        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| December     | 30,000                                  | 0.09          | 46.68         | 15,180,000         | 46.59         | 150.24        | 0                       | 0.00        | 0.00         | 0                 | 0.00         | 0.00         |   |  |
| <b>TOTAL</b> | <b>65,741,000</b>                       | <b>201.75</b> | <b>945.71</b> | <b>242,422,000</b> | <b>743.97</b> | <b>945.71</b> | <b>0</b>                | <b>0.00</b> | <b>96.55</b> | <b>31,460,000</b> | <b>96.55</b> | <b>96.55</b> |   |  |
|              | <i>Total Edwards Allocation 552.567</i> |               |               |                    |               |               | <i>Returned 263.497</i> |             |              |                   |              |              | <i>Total Edwards Allocation 568.567</i> |  |

| Current Edwards Permits |                | Lease             | BVFD           | 1/1/13 - 12/31/13 | -0.300      | Acres | Feet |
|-------------------------|----------------|-------------------|----------------|-------------------|-------------|-------|------|
| Allocated Pumpage       | CO00139        | P100-767          | 447.451        | Acres             | Feet        |       |      |
| Purchase                | BE 00109I      | P100-327          | 2              | Acres             | Feet        |       |      |
| Purchase                | ME 00417D      | P101-185          | 1.301          | Acres             | Feet        |       |      |
| Purchase                | ME 00479I      | P101-315          | 3.895          | Acres             | Feet        |       |      |
| Purchase                | UV 00437I      | P101-699          | 2              | Acres             | Feet        |       |      |
| Purchase                | UV 00461I      | P101-752          | 4              | Acres             | Feet        |       |      |
| Purchase                | UV 00478I      | P101-801          | 2              | Acres             | Feet        |       |      |
| Purchase                | UV 00537H      | P101-959          | 2              | Acres             | Feet        |       |      |
| Purchase                | UV 00576I      | P102-040          | 14             | Acres             | Feet        |       |      |
| Purchase                | UV 00630G      | P102-146          | 1.76           | Acres             | Feet        |       |      |
| Purchase                | BE 00081AE     | P100-200          | 62             | Acres             | Feet        |       |      |
| Transfer                | CO00119AA      | P100-767          | 3              | Acres             | Feet        |       |      |
| Transfer                | CO00118B       | P103-312          | 4.5            | Acres             | Feet        |       |      |
| Transfer                | CO00119AA      | P102-416          | 2              | Acres             | Feet        |       |      |
| Transfer                | CO00119AA      | P102-564          | 0.66           | Acres             | Feet        |       |      |
| Lease                   | CO00129        | P100-745          | 15             | Acres             | Feet        |       |      |
| Transfer                | UV00435        | P106-186          | 1              | Acres             | Feet        |       |      |
| <b>Total</b>            | <b>Edwards</b> | <b>Allocation</b> | <b>568.567</b> | <b>Acres</b>      | <b>Feet</b> |       |      |

**Total Available Edwards Water**      **568.267** Acres Feet  
**185,170,370.2** gals

• Trinity      Static level      178.2'      Drawdown      106.2'

Average usage per connection:      9,695 gals.      1518 Connections

Average Daily Usage: 2/1-2/25      588,680 gals.

## City Administrator

---

**From:** Chris Box [chris@krippco.com]  
**Sent:** Friday, February 14, 2014 9:18 AM  
**To:** City Administrator  
**Subject:** Watering Variance

To Whom It May Concern:

Krippco Enterprises, Inc. is installing landscaping at an entrance to a new development off of Bat Cave Rd. The new development is called, "The Woodlands of Garden Ridge". We are requesting a watering variance to get the new landscaping established. We hope to have all of the trees, shrubs and hydroseeding completed between the months of March and April and would like to irrigate the new plantings immediately. We would like to water in the evening hours (8:00p.m. – 2:00a.m.) every day for the first two to three weeks (depending on weather). After the first two weeks we can then back it off to 2-3 times a week until a full stand of sod has been established. The system will be equipped with a rain sensor so that it will not operate on rainy days. The system will also be monitored so that all heads and nozzles are not spraying any concrete or paved areas. A copy of both the landscape plan and irrigation plan has been turned in to the city clerk for the Water Commission to review. If additional landscape plans are needed I can provide them at a moments notice. Thank you for your consideration.

Chris Box  
Sr. Estimator  
Krippco Landscape and Irrigation Inc.  
[chris@krippco.com](mailto:chris@krippco.com)  
(830) 606-8686



## Water Variance Request for New Landscaping

February 13, 2014

Nancy Cain,

Krippco Enterprises, Inc. will be landscaping and irrigating a new entry way called "The Woodlands of Garden Ridge". It is a new development off of Bat Cave Rd just before Park Lane Dr. We hope to begin planting trees and shrubs sometime between March and April. We would like to request a watering variance to help the new shrub and tree plantings get established.

I have dropped off a set of both the landscape and irrigation plans for you to review. Let me know if you need any other information, or what additional steps (if any) I may need to take.

Thank you for your help,

Chris Box  
Sr. Estimator  
Krippco Enterprises, Inc.  
830-606-8686  
[chris@krippco.com](mailto:chris@krippco.com)

## City Administrator

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**From:** City Administrator  
**Sent:** Thursday, February 13, 2014 5:00 PM  
**To:** 'Chris Box'  
**Cc:** Water Manager  
**Subject:** RE:

Mr. Box,

More information is needed concerning your variance request. How often are you requesting to water? What hours? How long is variance being requested for? Is there a landscape plan that could be presented to the Water Commission? Feel free to include any other information that you feel is pertinent to your request and would assist the Water Commission in making a decision concerning the variance request. The Water Commission meeting is scheduled for February 25<sup>th</sup> at 6 p.m. here at City Hall. To be included on the agenda I will need to have the additional information no later than 5 p.m. on Tuesday, February 18, 2014.

Thanks,  
Nancy Cain  
City Administrator  
City of Garden Ridge  
[administrator@ci.garden-ridge.tx.us](mailto:administrator@ci.garden-ridge.tx.us)  
210-651-6632

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**From:** Chris Box [<mailto:chris@krippco.com>]  
**Sent:** Thursday, February 13, 2014 4:51 PM  
**To:** City Administrator  
**Cc:** 'Chris Box'  
**Subject:**

Nancy,

Good afternoon! We are currently working on a project in your City that will require landscape irrigation (The Woodlands of Garden Ridge). I have submitted the permit application for irrigation and set of plans for review.

Attached is a request for a watering variance (nothing formal – just something with our letterhead). Please let me know if you need any additional information or if this will work.

Thanks for your help,

Chris Box  
Sr. Estimator  
Krippco Landscape and Irrigation Inc.  
[chris@krippco.com](mailto:chris@krippco.com)  
(830) 606-8686

## City Administrator

---

**From:** Chris Box [chris@krippco.com]  
**Sent:** Thursday, February 13, 2014 4:51 PM  
**To:** City Administrator  
**Cc:** 'Chris Box'  
**Attachments:** gardenridgewaateringvariance.doc

Nancy,

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Attached is a request for a watering variance (nothing formal – just something with our letterhead). Please let me know if you need any additional information or if this will work.

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Krippco Landscape and Irrigation Inc.  
[chris@krippco.com](mailto:chris@krippco.com)  
(830) 606-8686

## City Administrator

---

**From:** Chris Box [chris@krippco.com]  
**Sent:** Monday, February 24, 2014 11:01 AM  
**To:** City Administrator  
**Subject:** RE: Watering Variance

Nancy,

We will have someone there. Thank you.

Chris Box

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**From:** City Administrator [<mailto:administrator@ci.garden-ridge.tx.us>]  
**Sent:** Monday, February 24, 2014 10:57 AM  
**To:** Chris Box  
**Subject:** RE: Watering Variance

Mr. Box,

You are on the Water Commission meeting agenda tomorrow evening at 6 p.m. It is advisable that someone is present to answer questions the commission may have.

Thanks,  
Nancy Cain  
City Administrator  
City of Garden Ridge  
[administrator@ci.garden-ridge.tx.us](mailto:administrator@ci.garden-ridge.tx.us)  
210-651-6632

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Sr. Estimator  
Krippco Landscape and Irrigation Inc.  
[chris@krippco.com](mailto:chris@krippco.com)  
(830) 606-8686



**City of Garden Ridge**  
**Water Rate Change**

**March, 2014**



# Need for the Rate Change

- Last rate change was in 2000
- Expenses have increased since that time
- Water lease from Schertz
- Need to build up water fund reserves to fund future water requirements
- Need to further enhance rate to encourage conservation

# Rate Schedules

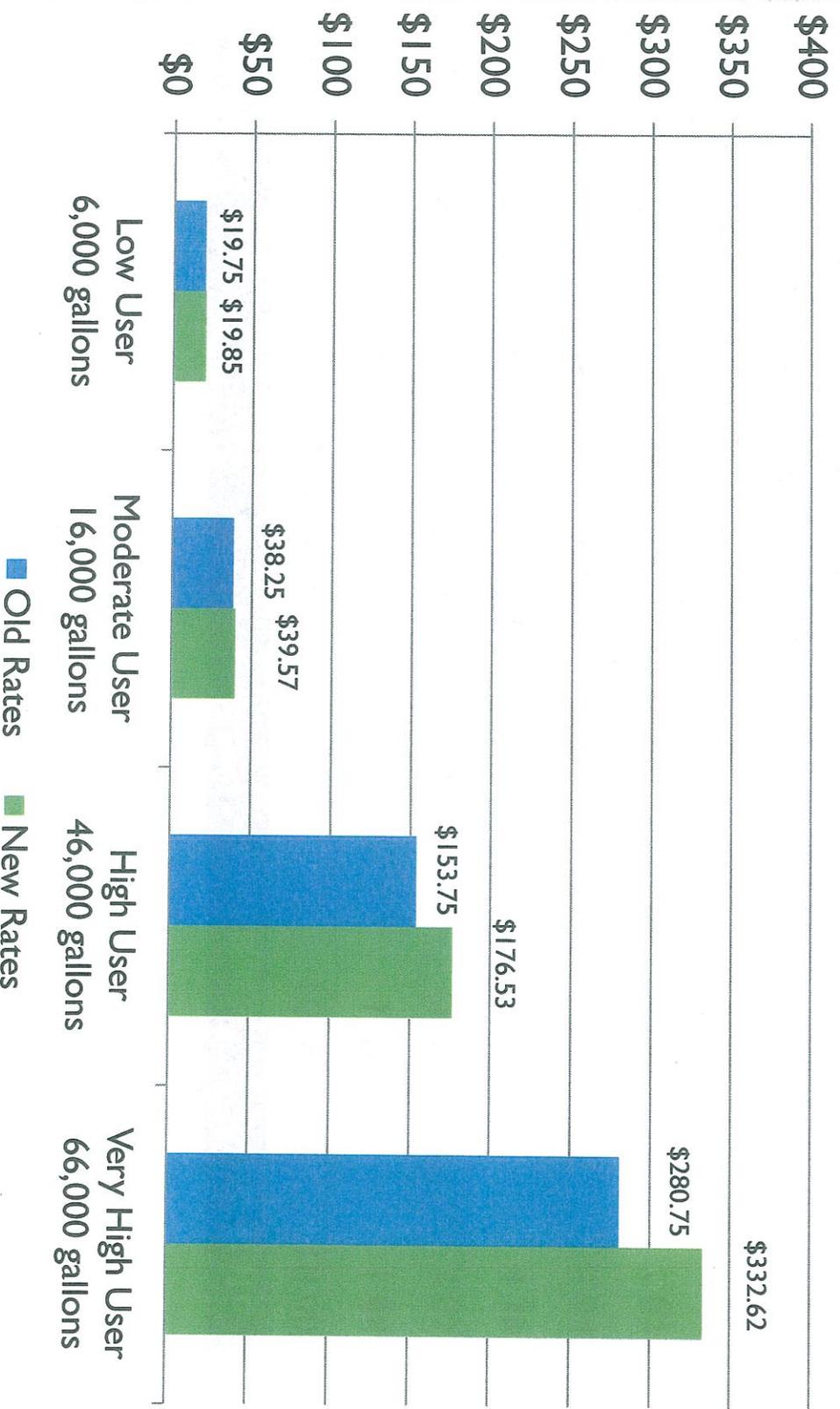
|                                    | Old Rate | New Rate |
|------------------------------------|----------|----------|
| Monthly Charge – 5,000 gallons     | 18.00    | 18.00    |
| Each additional 1,000 up to 15,000 | 1.75     | 1.85     |
| Each additional 1,000 up to 25,000 | 2.75     | 3.06     |
| Each additional 1,000 up to 35,000 | 3.75     | 4.39     |
| Each additional 1,000 up to 45,000 | 4.75     | 5.84     |
| Each additional 1,000 up to 55,000 | 5.75     | 7.07     |
| Each additional 1,000 up to 65,000 | 6.75     | 8.30     |

For each block over 65,000, add this amount to the previous block rate for each 1,000 gallons (ie.  $8.30 + 1.23 = 9.53$  for each 1,000 up to 75,000)

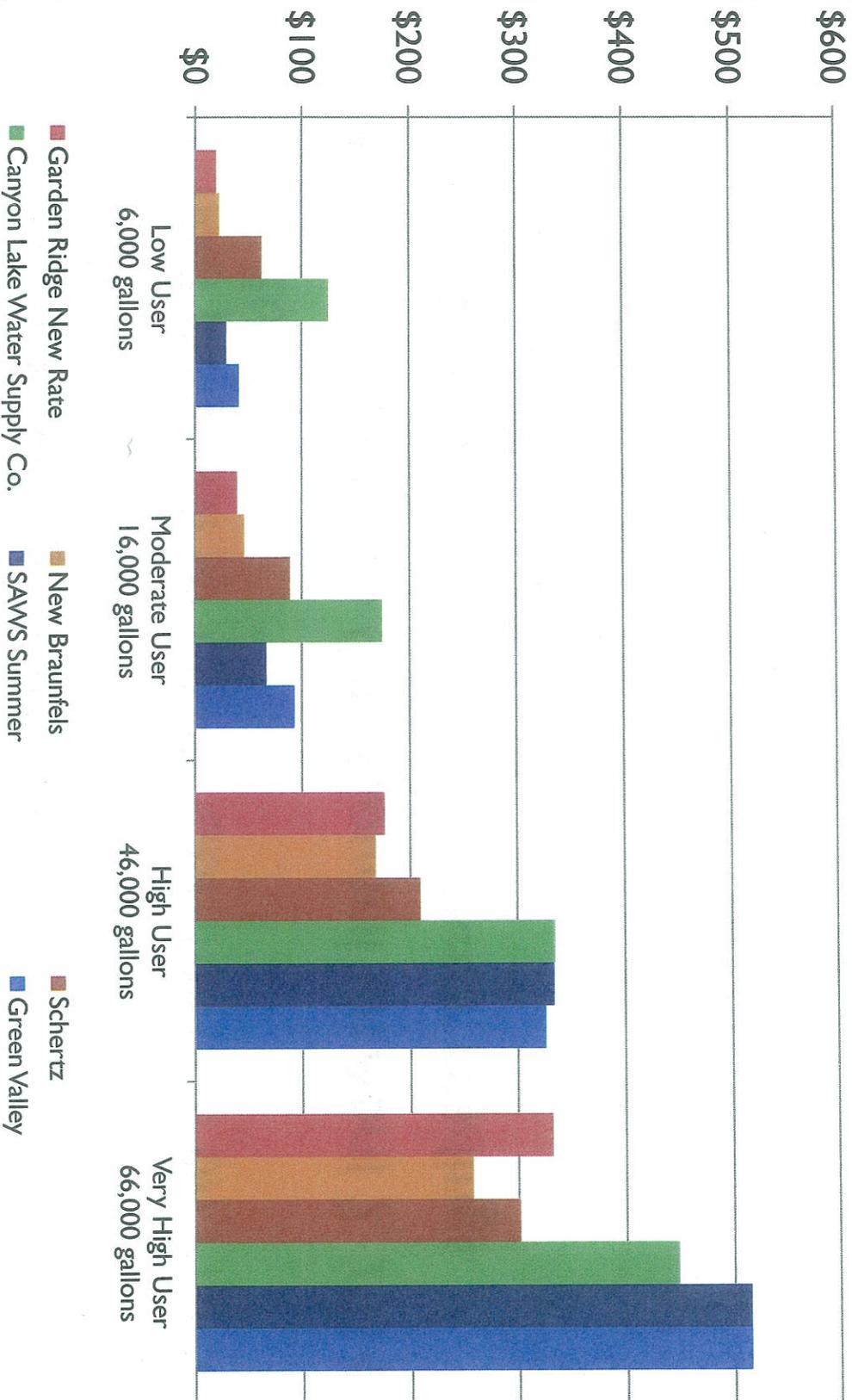
1.00

1.23

# Change in the Monthly Bill



# Comparison to Other Nearby Water Companies





# Implementation Plan

- Take proposal to Water Commission on March 24, 2014
- Take proposal to City Council on April 2, 2014
- Implement new rates with meter readings beginning April 23, 2014

*Ordinance # 61-012014 City of Garden Ridge*

AN ORDINANCE ESTABLISHING THE DROUGHT MANAGEMENT PLAN FOR THE CITY OF GARDEN RIDGE; PROVIDING DEFINITIONS, ESTABLISHING TRIGGER POINTS FOR STAGES 1 THROUGH 5, RESTRICTING THE USE OF WATER UPON IMPLEMENTATION OF SPECIFIC STAGES OF SAID PLAN; ESTABLISHING WATER SURCHARGE RATES FOR STAGES 3 THROUGH 5 OF SAID PLAN; PROVIDING A VARIANCE PROCEDURE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE; PROVIDING INCENTIVES FOR XERISCAPE, GRAY WATER SYSTEMS AND RAIN COLLECTION AND AMENDING ORDINANCE NO. 61-122013 ADOPTED December 4, 2013

WHEREAS, The City of Garden Ridge is a Type A, General Law Municipality located in Comal County, Texas, and;

WHEREAS, the 2010 estimated population of the City of Garden Ridge is approximately 3,259 residents. It is anticipated that the City of Garden Ridge will have a population of 4,450 in the year 2015, and;

WHEREAS, the Edwards Aquifer Authority is a regional authority managing water pumped out of the Edwards Aquifer by the City of Garden Ridge and has set standards for the Emergency Water Use Reduction Program in the region;

WHEREAS, the City of Garden Ridge uses both water from the Edwards Aquifer and from the Trinity Aquifer to provide water to residents of the City of Garden Ridge as well as persons residing within the Certificate of Convenience and Necessity (CCN) of the City of Garden Ridge;

WHEREAS, the Trinity Aquifer is currently an unregulated water source;

WHEREAS, the City of Garden Ridge relies on the Trinity Aquifer for the majority of its water resources;

WHEREAS, the level of the Trinity well affects the ability of the city to provide unrestricted water sources; and

WHEREAS, The City of Garden Ridge has determined that certain restrictive measures are required to delay potentially serious water shortage problems from impacting to the detriment of the health, safety and welfare of the Garden Ridge community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE City of Garden Ridge, TEXAS;

**SECTION 1 – Previous Ordinances**

City of Garden Ridge Ordinance Number 61-122013 dated, December 4, 2013 including all attachments and amendments thereto, is hereby amended.

**SECTION 2 – Definitions**

The following words and terms, when used in this plan, shall have the following meanings unless the context clearly indicates otherwise:

ACT. The Act creating the Edwards Aquifer Authority, namely the Edwards Aquifer Authority Act of May 30, 1993, 73<sup>rd</sup> Leg.R.S. Ch. 626, 1993 Texas General Laws 2353, as amended.

AESTHETIC USE. The use of water for fountains, waterfalls, and landscape lakes and ponds where such use is entirely ornamental and serves no other functional purpose.

AGRICULTURAL IRRIGATION. Irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.

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BUCKET. Bucket or other container holding five gallons or less, used singly by one person.

CONNECTION. A metered or unmetered delivery point to a customer or other receiver of water from an organized water distribution system.

CONSERVATION. Those practices, techniques, and technologies that will 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 water supply is made available for future or alternative uses.

DEMAND REDUCTION MEASURE. A specific action to be taken by defined categories of users to reduce the pumpage demand on the Edwards Aquifer during a drought.

DOMESTIC TYPE USE. The use of water, other than uses in the outdoor category, for personal needs or for household purposes, such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial facility.

DROUGHT. A period of shortage of precipitation of seasonal or longer duration.

EDWARDS AQUIFER. That portion of an arcuate belt of porous, water-bearing limestones composed of the Edwards Group Limestone and Associated Formations trending from west to east to northeast through Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties.

HAND-HELD HOSE. A hose attended by one person, fitted with a manual or automatic shutoff nozzle.

HEALTHCARE FACILITY. Any hospital, clinic, nursing home or other healthcare or medical research facility.

IMPERVIOUS SURFACE AREA. Any structure or any street, driveway, sidewalk, patio or other surface area covered with brick, paving, tile or other impervious material.

INDUSTRIAL USE. The use of water integral to the production of primary goods and services provided by industrial or commercial facilities. Industrial facilities include facilities which perform such process-specific activities as cooling, boiler feed, cleaning and washing, pollution control, extraction and separation of desirable material from products and waste materials and the incorporation of water into final products. Commercial facilities include, but are not limited to, food service facilities, hotels, retail facilities and nursery operations.

INDUSTRIAL USER. An industrial or commercial water user whose use of water is integral to the production of primary goods and services provided by industrial or commercial facilities.

INDUSTRIAL WELL USER. An industrial user who owns one or more wells that produce water used for industrial or commercial facilities.

IRRIGATOR. A well owner who uses water to irrigate land for growing commercial crops.

LANDSCAPE WATERING. The application of water to grow landscaping plants.

LANDSCAPE PLANT. Any member of the plant kingdom, including any tree, shrub, vine, herb, flower, succulent, groundcover or grass species that grows or has been planted out-of-doors and is used for landscaping purposes or for the support of intensive recreational areas such as playgrounds and playing fields.

LIVESTOCK. Cattle, sheep, goats, hogs, poultry, horses and game, domestic, exotic and other animals and birds, including zoo animals, used for commercial or personal purposes.

LIVESTOCK USE. The use of water for drinking by or washing of livestock.

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MSL. Mean sea level. As defined by North American Vertical Datum of 1988 (NAVD88).

MUNICIPALITY. A city or other governmental unit with the authority to make and enforce ordinances.

ORDER. A written order of the City Council or Mayor of the City of Garden Ridge, Texas.

OTHER OUTSIDE USE. The use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment, including automobiles and boats, the washing of streets, driveways, sidewalks, patios and other similar areas.

PERSON. Any individual, firm, entity, corporation, municipal corporation, governmental or proprietary body, including the United States or the State of Texas, or association of persons.

REDUCTION GOAL. The amount of reduction in pumpage volume, expressed in a percentage from baseline pumpage volume for each drought stage.

REUSE. The use by any user of Edwards Aquifer water that has been recycled or reclaimed for any beneficial purpose, after such water has been previously used for any beneficial purpose, whether or not any treatment of such groundwater may be required in connection with such recycling or reclamation.

STAGE. One of the five designated drought stages, which may be declared by the City or the Edwards Aquifer Authority.

SUPPLIER. Any person who supplies water to customers for residential, commercial, industrial, military or other uses, including a public or private water company, water supply corporation, municipality and water district.

TRIGGER CONDITIONS. Those specific conditions of rainfall amounts, Edwards Aquifer water level elevations, spring discharges and water quality which the Authority will monitor and use as indicators of the occurrence of drought conditions for purposes of declaring the various stages.

TRIGGER POINTS. Special conditions experienced by the City of Garden Ridge, which authorize the city to initiate Stage 1 through 5 of the City of Garden Ridge Drought Management Plan.

TRINITY AQUIFER WELL. A source of water for the City of Garden Ridge which is located in the Cow-Creek formation of the Trinity Aquifer.

USE FOR A BENEFICIAL PURPOSE. Water which is used, without regard to priority, for:

- (1) agricultural, commercial, domestic, gardening, industrial, manufacturing, mining, municipal, pleasure, recreational or stock raising purposes-
- (2) exploring for, producing, handling or treating oil, gas, sulfur or other materials; or
- (3) any other purpose that is useful and beneficial to the user.

USER. A person, public or private, who produces, distributes or uses water from an Edwards Aquifer well or from the Trinity Aquifer well.

VARIANCE. An authorized exception from compliance by the user with any provision of the Rules granted by this Ordinance.

WASTE.

*Ordinance # 61-012014 City of Garden Ridge*

- (1) The flowing or producing of groundwater from wells in the Edwards Aquifer or Trinity Aquifer if the water flowing or produced is not used for a beneficial purpose by any user,
- (2) The unreasonable loss of groundwater through faulty design or negligent operation of a well or water delivery or application system; or
- (3) Using quantities of groundwater for a purpose that otherwise would be considered beneficial in excess of quantities reasonably necessary for that purpose.

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WATER UTILITY USE. Water used for withdrawal, treatment, transmission and distribution by potable water systems.

**SECTION 3 – Demand Reduction Measures**

The demand reduction measures for all water uses for Stages 1, 2, 3, 4 and 5 are set out in Appendix A, provided. For clarification, certain permitted and exempt water uses are listed.

Listed below are the trigger points for the various stages of the Drought Management Plan.

| <b>Reduction Stage</b> | <b>J-17 Well Level</b> |
|------------------------|------------------------|
| 1                      | 660'                   |
| 2                      | 650'                   |
| 3                      | 640'                   |
| 4                      | 630'                   |
| 5                      | As Declared by Edwards |

Comment [R1]: Are we not using our own well as the trigger point?

**SECTION 4 – Emergency Water Use Reduction**

4.01 -- Declaration of Emergency Stages

The Mayor of Garden Ridge is authorized to order, by proclamation, implementation of provisions of Stages 1 through 5 of the City of Garden Ridge Drought Management Plan when the appropriate trigger points as established in this Ordinance are met.

The City of Garden Ridge shall determine when conditions warrant implementation of the Emergency Water Use Reduction Program. The program is implemented when any one of the below Trigger Points is reached. The City of Garden Ridge may advance stages, as needed to effect compliance with pumping limit goals. The various stages may be declared as shown in Appendix A.

**TRIGGER POINTS:**

- 1) Declaration of Stages 1 through 5 by the Edwards Aquifer Authority and/or at the discretion of the Mayor, City of Garden Ridge.
- 2) The level of the Edwards Aquifer Authority Test Well J-17 reaches a level of Stages 1 through 5 Emergency Water Use Reduction as defined by Edwards Aquifer Authority.
- 3) When the pumping ability of the Trinity Aquifer well drops to 600 GPM or draw down level of the well reaches seventy-five (75) feet above the transponder.
- 4) When the city's pumping capacity is reduced by infrastructure damage or equipment failure.

4.02 -- Public Issuance of Drought Stage Declaration

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The Declaration of a critical use stage will be publicly issued by the City of Garden Ridge. Such declaration shall be placed on the City signs and distributed by phone (CTY system), posted on city website and/or published in the official city newspaper.

4.03 -- Restricting the Use of Water

- a. Upon declaration of a critical use stage by the City of Garden Ridge, compliance with the Emergency Water Use Reduction Program demand reduction measures shall be required and compliance with the voluntary measures shall be encouraged.
- b. Demand reduction measures are attached as Appendix A, and are herein incorporated for all purposes.
- c. Upon declaration of a critical use stage by the City of Garden Ridge, the sale of water to a temporary user for use outside the city shall be prohibited. The sale of water to a temporary user for use within the City of Garden Ridge shall be at the discretion of the Public Works Director.

4.04 -- Water Rate Surcharges

- a. Critical Period Surcharges will be implemented in accordance with the following schedule:
  - (1) Stage 3: Customers will be charged the current water rate plus a 100% surcharge for use over 45,000 gallons.
  - (2) Stage 4: Customers will be charged the current water rate plus a 200% surcharge for use over 45,000 gallons.
  - (3) Stage 5: Customers will be charged the current water rate plus a ~~300%~~ surcharge for use over 45,000 gallons.
- b. Water rate surcharges will remain in effect only so long as the City is in Stages 3, 4 or 5 of the Drought Management Plan.
- c. Water rate surcharges shall coincide with the normal billing cycle of the Garden Ridge Water Department. Surcharges shall be applied to the next billing cycle following the implementation of Stages 3, 4 or 5.
- d. Surcharge revenues shall be held in a reserve fund to be created within the current fiscal year budget. Such revenue is to be used for the following purposes:
  - (1) For the payment of any legal fees, consultant fees, studies, etc. that are incurred because the city is using more water than the allowable rate/amount established by an authorized political entity.
  - (2) For the payment of any fines or administrative penalties imposed by a legal or judicial entity related to excess pumpage, or;
  - (3) For the payment of any fees incurred to pursue alternate water sources. \_\_\_\_\_
  - (4) Incentives for rain water collection, Xeriscape, gray water systems.

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4.05 – Payment of City-wide Fines and/or Penalties

- a. In the event that a governmental agency levies a fine or penalty against the City of Garden Ridge associated with water usage, the amount of the fine or penalty shall be pro-rated amongst all customers *exceeding the average use and* having an active account with the City during the time period subject to the fine as a recovery assessment.
- b. Each active account holder who exceeds the average water usage for the period subject to the fine, shall have an assessment placed on their water bill during the month immediately following the levy of such a fine or penalty.
- c. The amount of the assessment for any customer shall be based on usage above the average of all customers' water usage for the fine/penalty month. In computing the assessment, the City shall use the following variables: the amount of the fine/penalty (fine); the average usage per water connection for the period of the fine (average); the individual customer's usage above the average; and the total of all customers' usage above the average.

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The assessment for any individual customer shall be the amount of the fine, multiplied by the ratio of the individual customers' usage above the average to the total of all customers' usage above the average.

- d. Customers that have received an adjustment to their water bill for a fast meter, customer leaks, etc in accordance with Ordinance 54, Paragraph 14.07 shall have their assessment based upon the approved adjusted amount.
- e. For the purposes of this assessment, average use for the time period of the fine will be determined by the total gallons pumped divided by the number of water customers. Usage below the average shall not be subject to an assessment.

4.06 -- End of Emergency Use Restrictions

a. Trinity Aquifer

The program and/or each stage may be terminated or changed at the discretion of the City of Garden Ridge after the trigger condition of a stage has been exceeded and after considering the 10 day rolling average of the appropriate index well level, pumping trends, current precipitation and the outlook for additional precipitation.

b. Edwards Aquifer

The program and /or each stage may be terminated or changed upon declaration of the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

**SECTION 5 – Penalties**

- a. A person who knowingly or intentionally violates the provisions of this Ordinance shall be deemed guilty of a misdemeanor offense and upon conviction be punished by a fine of not less than twenty-five dollars (\$25.00) and not more than two thousand dollars (\$2,000). Each day's violation constitutes a separate offense. Compliance may also be sought through injunctive relief in the District Court.
- b. No violation, definition or penalty under this section shall have bearing on any violation, definition or penalty under any other section of this Ordinance.

**SECTION 6 – Enforcement**

a. Applicable to Resident and Non-Resident Customers

For purposes of this Ordinance, it shall be presumed that any person, corporation or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company, has knowingly made, caused, used or permitted to use the water received from the City and that use of said water in a manner contrary to the provisions of Ordinance No.61, or in an amount in excess of the use permitted by the conservation stage in effect, is considered a violation of Ordinance No.61 by that resident person, non-resident person, corporation or association. Proof that the particular premises have a water meter connection registered in the name of the defendant named in a complaint issued under the auspices of Ordinance No.61 shall constitute in evidence a prima facie presumption that the person in whose name such water connection was registered was the person who permitted the illegal use of water to occur on the premises.

b. Applicable to Non-Resident Customers Only

Any non-resident person, corporation or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company who shall violate a provision of Ordinance No.61 and orders promulgated there under when Stage I, Stage II, Stage III, Stage IV, or Stage V are in effect, shall be held strictly liable, and shall be subject to an Administrative Hearing before the City

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Water Commission to show cause whether water service should be discontinued for all or any part of a day or consecutive days to such non-resident person, corporation or association. Provisions shall be made to allow for the provision of water in an amount necessary to provide for human health and safety requirements. In the event termination is ordered, an appeal to the City Council may be made if filed in writing with the Mayor within three (3) days of the termination order. Compliance may also be sought through injunctive relief in District Court.

**SECTION 7 – Variances**

a. Request for Variance

A person may file a written request for a variance from these rules with the City of Garden Ridge. The request must contain the following information;

- (1) The specific nature of the variance requested
- (2) A detailed explanation of why the person believes he/she should be granted the variance, including any supporting documentation;
- (3) A signed statement that the facts contained in the request are true and within the person's personal knowledge.

b. Additional Information

The City of Garden Ridge may request the variance requester to provide additional information, which must be filed within ten calendar days of the request or as otherwise directed in the request.

c. When Variance May be Granted

- (1) The variance is necessary to avoid an unusual, direct and substantial hardship
- (2) There are no other reasonably available means for avoiding the hardship without a variance;
- (3) Granting the variance is consistent with the goals of this Ordinance; and
- (4) Granting the variance will not cause significant harm to any other person or group of persons or result in the City of Garden Ridge being in violation of regulatory requirements.

d. Terms and Conditions of the Variance

- (1) The City of Garden Ridge may grant a variance for such a term and in accordance with any conditions the City of Garden Ridge deems appropriate.
- (2) It shall be a term of every variance granted by the City of Garden Ridge that the variance may be rescinded based on changed circumstances, new information, or failure of the holder of the variance to abide by the terms and conditions of the variance or to comply with these rules or any other order or rule of the City of Garden Ridge.
- (3) The City of Garden Ridge may require a person granted a variance to file reports with the City of Garden Ridge containing such information as the City of Garden Ridge believes relevant to monitoring the continuing appropriateness of the variance.

**SECTION 8 – Severability**

If any section, paragraph, subdivision, clause or phrase of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of any provision thereof other than the part so decided to be invalid or unconstitutional.

**SECTION 9 – Effective Date**

This ordinance shall take effect immediately upon its passage, approval and publication according to law.

PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF JANUARY, 2014.

\_\_\_\_\_  
Andrew Dalton, Mayor

ATTEST:

*Ordinance # 61-012014 City of Garden Ridge*

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Shelly Goodwin, City Secretary

**APPENDIX A  
DEMAND REDUCTION MEASURES**

Watering by automated irrigation systems is restricted year round between the hours of 10 am and 8 pm unless stated otherwise.

**STAGE 1**

**RECOMEND MAKE STAGE 1 YEAR-ROUND NO STAGE 0-UNLESS CANCELLED BY MAYOR/CITY COUNCIL**

**Stage One Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches **660** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only ON DESIGNATED DAY OF WEEK during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11PM:
3. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day:

| Last Digit of Address | Day       |
|-----------------------|-----------|
| 0                     | Monday    |
| 1&2                   | Tuesday   |
| 3&4                   | Wednesday |
| 5&6                   | Thursday  |
| 7&8                   | Friday    |
| 9                     | Saturday  |

Areas without a street address, such as medians, neighborhood entryways or common areas water on Wednesdays.

4. Watering with hand-held hose or drip irrigation permitted any day, any time.
5. Residential, commercial, industrial, and agricultural Edwards Aquifer water users should reduce water consumption by any means available.
6. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited.
7. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
8. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
9. No building permits will be issued to homeowners or pool contractors for the construction of new swimming pools unless verification is provided that 100% of water for filling of pool will be brought in from a water source outside of Garden Ridge.

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10. Restrictions apply to well users.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 1 restrictions continue until there is an announcement that Stage 1 has been canceled or that Stage 2 is in effect.

**STAGE 2**

**Stage Two Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches 650 feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m.:

| Last Digit of Address | Day       |
|-----------------------|-----------|
| 0                     | Monday    |
| 1&2                   | Tuesday   |
| 3&4                   | Wednesday |
| 5&6                   | Thursday  |
| 7&8                   | Friday    |
| 9                     | Saturday  |

Areas without a street address, such as medians, neighborhood entryways or common areas water as if their address ended in a 2.

3. Watering with drip irrigation or a 5 gallon bucket permitted during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. any day.
4. Watering with a hand held hose permitted any day, any time.
5. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited.
6. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
7. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the city.

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- 9. Groundwater may be used to replenish swimming pools to maintenance levels. Drainage of swimming pools is permitted only onto a permeable surface or onto a pool deck where water is transmitted directly to a permeable surface. Refilling of existing swimming pools is prohibited unless at least 30% of the water is obtained from a source other than City provided.

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- 10. Restrictions apply to well users.

11. SURCHARGE OF 50% FOR USAGE ABOVE 45,000 GALLONS.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 2 restrictions continue until there is an announcement that Stage 2 has been canceled or that Stage 3 is in effect.

**STAGE 3**

**Stage Three Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches 640 feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

- 1. Watering with an irrigation system, soaker hose or sprinkler is permitted every other week beginning on the second Monday after Stage III has been declared and only on designated watering day from 4 a.m. – 8 a.m. and 8 p.m. – 11 p.m.

A watering day calendar based upon the last digit of each address will be prepared, distributed and posted monthly during Stage 3 watering restrictions with the following watering schedule as reflected below. ALTERNATING WEEK THROUGHOUT PERIOD

WEEK 1

|   |           |
|---|-----------|
| 0 | Monday    |
| 2 | Tuesday   |
| 4 | Wednesday |
| 6 | Thursday  |
| 8 | Friday    |

WEEK 2

|   |           |
|---|-----------|
| 1 | Tuesday   |
| 3 | Wednesday |
| 5 | Thursday  |
| 7 | Friday    |
| 9 | Saturday  |

Areas without a street address, such as medians, neighborhood entryways or common areas water as if their address ended in a 2.

- 2. Watering with a drip irrigation or 5 gallon bucket permitted on scheduled day, during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m.
- 3. Watering with a hand held hose permitted any day, any time.
- 4. Watering newly planted landscapes permitted only with a variance from Garden Ridge City Council.

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*Ordinance # 61-012014 City of Garden Ridge*

5. Washing cars at home is permitted any day at any time over landscape or other surface where run off is minimized and with the use of hose using automatic shut-off nozzle or bucket of 5 gallons or less. Water runoff into streets is prohibited.
6. Water runoff onto streets is prohibited.
7. No person may use groundwater or city provided water for an ornamental outdoor fountain or similar feature.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the city.
9. Groundwater may be used to replenish swimming pools to maintenance levels. Drainage of swimming pools is permitted only onto a permeable surface or onto a pool deck where water is transmitted directly to a permeable surface. Refilling of existing swimming pools is prohibited unless at least 30% of the water is obtained from a source other than City provided.
10. Water customers subject to a 100% surcharge for use over 45,000 gallons.

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This does not apply to non- potable water, gray water, or treated effluent.

Stage 3 restrictions continue until there is an announcement that Stage 3 has been canceled or that Stage 4 is in effect.

**STAGE 4**

**Stage Four Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches 630 feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. All restrictions in Stage 3. EXCEPT THAT.
2. Water customers subject to a 200% surcharge for use over 45,000 gallons.
3. Additional restrictions on water use may be established at the discretion of the City Council.
4. REFILLING OF POOL ONLY IF 50% OF WATER FROM OUTSIDE SOURCES

This does not apply to non- potable water, gray water, or treated effluent.

Stage 4 restrictions continue until there is an announcement that Stage 4 has been canceled or that Stage 5 is in effect.

**STAGE 5**

**Stage Five Alert** begins when declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. All restrictions in Stage 4. EXCEPT THAT.
2. REFILLING POOL ONLY IF 100% FROM OUTSIDE SOURCES.
3. OTHER Conditions as directed by the Mayor and City Council

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*Ordinance # 61-012014 City of Garden Ridge*

4. Use Necessary for Public Health or Safety.
5. Notwithstanding any provision of these rules, groundwater may be used when and to the extent it is necessary to prevent danger to public health, safety or welfare or to the extent required by State or Federal law.
6. Water customers subject to a 300% surcharge for use over 35,000 gallons.

This does not apply to non- potable water, gray water, or treated effluent.

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*Ordinance # 61-012014 City of Garden Ridge*

AN ORDINANCE ESTABLISHING THE DROUGHT MANAGEMENT PLAN FOR THE CITY OF GARDEN RIDGE; PROVIDING DEFINITIONS, ESTABLISHING TRIGGER POINTS FOR STAGES 1 THROUGH 5, RESTRICTING THE USE OF WATER UPON IMPLEMENTATION OF SPECIFIC STAGES OF SAID PLAN; ESTABLISHING WATER SURCHARGE RATES FOR STAGES 3 THROUGH 5 OF SAID PLAN; PROVIDING A VARIANCE PROCEDURE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE: PROVIDING INCENTIVES FOR XERISCAPE, GRAY WATER SYSTEMS AND RAIN COLLECTION AND AMENDING ORDINANCE NO. 61-122013 ADOPTED December 4, 2013

WHEREAS, The City of Garden Ridge is a Type A, General Law Municipality located in Comal County, Texas, and;

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WHEREAS, the level of the Trinity well affects the ability of the city to provide unrestricted water sources; and

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NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE City of Garden Ridge, TEXAS;

**SECTION 1 – Previous Ordinances**

City of Garden Ridge Ordinance Number 61-122013 dated, December 4, 2013 including all attachments and amendments thereto, is hereby amended.

**SECTION 2 – Definitions**

The following words and terms, when used in this plan, shall have the following meanings unless the context clearly indicates otherwise:

ACT. The Act creating the Edwards Aquifer Authority, namely the Edwards Aquifer Authority Act of May 30, 1993, 73<sup>rd</sup> Leg.R.S. Ch. 626, 1993 Texas General Laws 2353, as amended.

AESTHETIC USE. The use of water for fountains, waterfalls, and landscape lakes and ponds where such use is entirely ornamental and serves no other functional purpose.

AGRICULTURAL IRRIGATION. Irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.

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BUCKET. Bucket or other container holding five gallons or less, used singly by one person.

CONNECTION. A metered or unmetered delivery point to a customer or other receiver of water from an organized water distribution system.

CONSERVATION. Those practices, techniques, and technologies that will 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 water supply is made available for future or alternative uses.

DEMAND REDUCTION MEASURE. A specific action to be taken by defined categories of users to reduce the pumpage demand on the Edwards Aquifer during a drought.

DOMESTIC TYPE USE. The use of water, other than uses in the outdoor category, for personal needs or for household purposes, such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial facility.

DROUGHT. A period of shortage of precipitation of seasonal or longer duration.

EDWARDS AQUIFER. That portion of an arcuate belt of porous, water-bearing limestones composed of the Edwards Group Limestone and Associated Formations trending from west to east to northeast through Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties.

HAND-HELD HOSE. A hose attended by one person, fitted with a manual or automatic shutoff nozzle.

HEALTHCARE FACILITY. Any hospital, clinic, nursing home or other healthcare or medical research facility.

IMPERVIOUS SURFACE AREA. Any structure or any street, driveway, sidewalk, patio or other surface area covered with brick, paving, tile or other impervious material.

INDUSTRIAL USE. The use of water integral to the production of primary goods and services provided by industrial or commercial facilities, Industrial facilities include facilities which perform such process-specific activities as cooling, boiler feed, cleaning and washing, pollution control, extraction and separation of desirable material from products and waste materials and the incorporation of water into final products, Commercial facilities include, but are not limited to, food service facilities, hotels, retail facilities and nursery operations.

INDUSTRIAL USER. An industrial or commercial water user whose use of water is integral to the production of primary goods and services provided by industrial or commercial facilities.

INDUSTRIAL WELL USER. An industrial user who owns one or more wells that produce water used for industrial or commercial facilities.

IRRIGATOR. A well owner who uses water to irrigate land for growing commercial crops.

LANDSCAPE WATERING. The application of water to grow landscaping plants.

LANDSCAPE PLANT. Any member of the plant kingdom, including any tree, shrub, vine, herb, flower, succulent, groundcover or grass species that grows or has been planted out-of-doors and is used for landscaping purposes or for the support of intensive recreational areas such as playgrounds and playing fields.

LIVESTOCK. Cattle, sheep, goats, hogs, poultry, horses and game, domestic, exotic and other animals and birds, including zoo animals, used for commercial or personal purposes.

LIVESTOCK USE. The use of water for drinking by or washing of livestock.

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MSL. Mean sea level. As defined by North American Vertical Datum of 1988 (NAVD88).

MUNICIPALITY. A city or other governmental unit with the authority to make and enforce ordinances.

ORDER. A written order of the City Council or Mayor of the City of Garden Ridge, Texas.

OTHER OUTSIDE USE. The use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment, including automobiles and boats, the washing of streets, driveways, sidewalks, patios and other similar areas.

PERSON. Any individual, firm, entity, corporation, municipal corporation, governmental or proprietary body, including the United States or the State of Texas, or association of persons.

REDUCTION GOAL. The amount of reduction in pumpage volume, expressed in a percentage from baseline pumpage volume for each drought stage.

REUSE. The use by any user of Edwards Aquifer water that has been recycled or reclaimed for any beneficial purpose, after such water has been previously used for any beneficial purpose, whether or not any treatment of such groundwater may be required in connection with such recycling or reclamation.

STAGE. One of the five designated drought stages, which may be declared by the City or the Edwards Aquifer Authority.

SUPPLIER. Any person who supplies water to customers for residential, commercial, industrial, military or other uses, including a public or private water company, water supply corporation, municipality and water district.

TRIGGER CONDITIONS. Those specific conditions of rainfall amounts, Edwards Aquifer water level elevations, spring discharges and water quality which the Authority will monitor and use as indicators of the occurrence of drought conditions for purposes of declaring the various stages.

TRIGGER POINTS. Special conditions experienced by the City of Garden Ridge, which authorize the city to initiate Stage 1 through 5 of the City of Garden Ridge Drought Management Plan.

TRINITY AQUIFER WELL. A source of water for the City of Garden Ridge which is located in the Cow-Creek formation of the Trinity Aquifer.

USE FOR A BENEFICIAL PURPOSE. Water which is used, without regard to priority, for:

- (1) agricultural, commercial, domestic, gardening, industrial, manufacturing, mining, municipal, pleasure, recreational or stock raising purposes-
- (2) exploring for, producing, handling or treating oil, gas, sulfur or other materials; or
- (3) any other purpose that is useful and beneficial to the user.

USER. A person, public or private, who produces, distributes or uses water from an Edwards Aquifer well or from the Trinity Aquifer well.

VARIANCE. An authorized exception from compliance by the user with any provision of the Rules granted by this Ordinance.

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- (1) The flowing or producing of groundwater from wells in the Edwards Aquifer or Trinity Aquifer if the water flowing or produced is not used for a beneficial purpose by any user,
- (2) The unreasonable loss of groundwater through faulty design or negligent operation of a well or water delivery or application system; or
- (3) Using quantities of groundwater for a purpose that otherwise would be considered beneficial in excess of quantities reasonably necessary for that purpose.

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WATER UTILITY USE. Water used for withdrawal, treatment, transmission and distribution by potable water systems.

**SECTION 3 – Demand Reduction Measures**

The demand reduction measures for all water uses for Stages 1, 2, 3, 4 and 5 are set out in Appendix A, provided. For clarification, certain permitted and exempt water uses are listed.

Listed below are the trigger points for the various stages of the Drought Management Plan.

| <b>Reduction Stage</b> | <b>J-17 Well Level</b> |
|------------------------|------------------------|
| 1                      | 660'                   |
| 2                      | 650'                   |
| 3                      | 640'                   |
| 4                      | 630'                   |
| 5                      | As Declared by Edwards |

Comment [R1]: Are we not using our own well as the trigger point?

**SECTION 4 – Emergency Water Use Reduction**

**4.01 -- Declaration of Emergency Stages**

The Mayor of Garden Ridge is authorized to order, by proclamation, implementation of provisions of Stages 1 through 5 of the City of Garden Ridge Drought Management Plan when the appropriate trigger points as established in this Ordinance are met.

The City of Garden Ridge shall determine when conditions warrant implementation of the Emergency Water Use Reduction Program. The program is implemented when any one of the below Trigger Points is reached. The City of Garden Ridge may advance stages, as needed to effect compliance with pumping limit goals. The various stages may be declared as shown in Appendix A.

**TRIGGER POINTS:**

- 1) Declaration of Stages 1 through 5 by the Edwards Aquifer Authority and/or at the discretion of the Mayor, City of Garden Ridge.
- 2) The level of the Edwards Aquifer Authority Test Well J-17 reaches a level of Stages 1 through 5 Emergency Water Use Reduction as defined by Edwards Aquifer Authority.
- 3) When the pumping ability of the Trinity Aquifer well drops to 600 GPM or draw down level of the well reaches seventy-five (75) feet above the transponder.
- 4) When the city's pumping capacity is reduced by infrastructure damage or equipment failure.

**4.02 -- Public Issuance of Drought Stage Declaration**

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The Declaration of a critical use stage will be publicly issued by the City of Garden Ridge. Such declaration shall be placed on the City signs and distributed by phone (CTY system), posted on city website and/or published in the official city newspaper.

4.03 -- Restricting the Use of Water

- a. Upon declaration of a critical use stage by the City of Garden Ridge, compliance with the Emergency Water Use Reduction Program demand reduction measures shall be required and compliance with the voluntary measures shall be encouraged.
- b. Demand reduction measures are attached as Appendix A, and are herein incorporated for all purposes.
- c. Upon declaration of a critical use stage by the City of Garden Ridge, the sale of water to a temporary user for use outside the city shall be prohibited. The sale of water to a temporary user for use within the City of Garden Ridge shall be at the discretion of the Public Works Director.

4.04 -- Water Rate Surcharges

- a. Critical Period Surcharges will be implemented in accordance with the following schedule:
  - (1) Stage 3: Customers will be charged the current water rate plus a 100% surcharge for use over 45,000 gallons.
  - (2) Stage 4: Customers will be charged the current water rate plus a 200% surcharge for use over 45,000 gallons.
  - (3) Stage 5: Customers will be charged the current water rate plus a 300% surcharge for use over 45,000 gallons.
- b. Water rate surcharges will remain in effect only so long as the City is in Stages 3, 4 or 5 of the Drought Management Plan.
- c. Water rate surcharges shall coincide with the normal billing cycle of the Garden Ridge Water Department. Surcharges shall be applied to the next billing cycle following the implementation of Stages 3, 4 or 5.
- d. Surcharge revenues shall be held in a reserve fund to be created within the current fiscal year budget. Such revenue is to be used for the following purposes:
  - (1) For the payment of any legal fees, consultant fees, studies, etc. that are incurred because the city is using more water than the allowable rate/amount established by an authorized political entity.
  - (2) For the payment of any fines or administrative penalties imposed by a legal or judicial entity related to excess pumpage, or;
  - (3) For the payment of any fees incurred to pursue alternate water sources. \_\_\_\_\_
  - (4) (4) Incentives for rain water collection. Xeriscape. gray water systems.

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4.05 – Payment of City-wide Fines and/or Penalties

- a. In the event that a governmental agency levies a fine or penalty against the City of Garden Ridge associated with water usage, the amount of the fine or penalty shall be pro-rated amongst all customers *exceeding the average use and* having an active account with the City during the time period subject to the fine as a recovery assessment.
- b. Each active account holder who exceeds the average water usage for the period subject to the fine, shall have an assessment placed on their water bill during the month immediately following the levy of such a fine or penalty.
- c. The amount of the assessment for any customer shall be based on usage above the average of all customers' water usage for the fine/penalty month. In computing the assessment, the City shall use the following variables: the amount of the fine/penalty (fine); the average usage per water connection for the period of the fine (average); the individual customer's usage above the average; and the total of all customers' usage above the average.

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The assessment for any individual customer shall be the amount of the fine, multiplied by the ratio of the individual customers' usage above the average to the total of all customers' usage above the average.

- d. Customers that have received an adjustment to their water bill for a fast meter, customer leaks, etc in accordance with Ordinance 54, Paragraph 14.07 shall have their assessment based upon the approved adjusted amount.
- e. For the purposes of this assessment, average use for the time period of the fine will be determined by the total gallons pumped divided by the number of water customers. Usage below the average shall not be subject to an assessment.

4.06 -- End of Emergency Use Restrictions

a. Trinity Aquifer

The program and/or each stage may be terminated or changed at the discretion of the City of Garden Ridge after the trigger condition of a stage has been exceeded and after considering the 10 day rolling average of the appropriate index well level, pumping trends, current precipitation and the outlook for additional precipitation.

b. Edwards Aquifer

The program and /or each stage may be terminated or changed upon declaration of the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

**SECTION 5 – Penalties**

- a. A person who knowingly or intentionally violates the provisions of this Ordinance shall be deemed guilty of a misdemeanor offense and upon conviction be punished by a fine of not less than twenty-five dollars (\$25.00) and not more than two thousand dollars (\$2,000). Each day's violation constitutes a separate offense. Compliance may also be sought through injunctive relief in the District Court.
- b. No violation, definition or penalty under this section shall have bearing on any violation, definition or penalty under any other section of this Ordinance.

**SECTION 6 – Enforcement**

a. Applicable to Resident and Non-Resident Customers

For purposes of this Ordinance, it shall be presumed that any person, corporation or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company, has knowingly made, caused, used or permitted to use the water received from the City and that use of said water in a manner contrary to the provisions of Ordinance No.61, or in an amount in excess of the use permitted by the conservation stage in effect, is considered a violation of Ordinance No.61 by that resident person, non-resident person, corporation or association. Proof that the particular premises have a water meter connection registered in the name of the defendant named in a complaint issued under the auspices of Ordinance No.61 shall constitute in evidence a prima facie presumption that the person in whose name such water connection was registered was the person who permitted the illegal use of water to occur on the premises.

b. Applicable to Non-Resident Customers Only

Any non-resident person, corporation or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company who shall violate a provision of Ordinance No.61 and orders promulgated there under when Stage I, Stage II, Stage III, Stage IV, or Stage V are in effect, shall be held strictly liable, and shall be subject to an Administrative Hearing before the City

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Water Commission to show cause whether water service should be discontinued for all or any part of a day or consecutive days to such non-resident person, corporation or association. Provisions shall be made to allow for the provision of water in an amount necessary to provide for human health and safety requirements. In the event termination is ordered, an appeal to the City Council may be made if filed in writing with the Mayor within three (3) days of the termination order. Compliance may also be sought through injunctive relief in District Court.

**SECTION 7 – Variances**

a. Request for Variance

A person may file a written request for a variance from these rules with the City of Garden Ridge. The request must contain the following information;

- (1) The specific nature of the variance requested
- (2) A detailed explanation of why the person believes he/she should be granted the variance, including any supporting documentation;
- (3) A signed statement that the facts contained in the request are true and within the person's personal knowledge.

b. Additional Information

The City of Garden Ridge may request the variance requester to provide additional information, which must be filed within ten calendar days of the request or as otherwise directed in the request.

c. When Variance May be Granted

- (1) The variance is necessary to avoid an unusual, direct and substantial hardship
- (2) There are no other reasonably available means for avoiding the hardship without a variance;
- (3) Granting the variance is consistent with the goals of this Ordinance; and
- (4) Granting the variance will not cause significant harm to any other person or group of persons or result in the City of Garden Ridge being in violation of regulatory requirements.

d. Terms and Conditions of the Variance

- (1) The City of Garden Ridge may grant a variance for such a term and in accordance with any conditions the City of Garden Ridge deems appropriate.
- (2) It shall be a term of every variance granted by the City of Garden Ridge that the variance may be rescinded based on changed circumstances, new information, or failure of the holder of the variance to abide by the terms and conditions of the variance or to comply with these rules or any other order or rule of the City of Garden Ridge.
- (3) The City of Garden Ridge may require a person granted a variance to file reports with the City of Garden Ridge containing such information as the City of Garden Ridge believes relevant to monitoring the continuing appropriateness of the variance.

**SECTION 8 – Severability**

If any section, paragraph, subdivision, clause or phrase of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of any provision thereof other than the part so decided to be invalid or unconstitutional.

**SECTION 9 – Effective Date**

This ordinance shall take effect immediately upon its passage, approval and publication according to law.

PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF JANUARY, 2014..

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Andrew Dalton, Mayor

ATTEST:

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Shelly Goodwin, City Secretary

**APPENDIX A  
DEMAND REDUCTION MEASURES**

Watering by automated irrigation systems is restricted year round between the hours of 10 am and 8 pm unless stated otherwise.

**STAGE 1**  
**RECOMEND MAKE STAGE 1 YEAR-ROUND NO STAGE 0-UNLESS CANCELLED**  
**BY MAYOR/CITY COUNCIL**

Stage One Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches 660 feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only ON DESIGNATED DAY OF WEEK during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11PM:
3. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day:

| Last Digit of Address | Day       |
|-----------------------|-----------|
| 0                     | Monday    |
| 1&2                   | Tuesday   |
| 3&4                   | Wednesday |
| 5&6                   | Thursday  |
| 7&8                   | Friday    |
| 9                     | Saturday  |

Areas without a street address, such as medians, neighborhood entryways or common areas water on Wednesdays.

4. Watering with hand-held hose or drip irrigation permitted any day, any time.
5. Residential, commercial, industrial, and agricultural Edwards Aquifer water users should reduce water consumption by any means available.
6. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited.
7. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
8. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
9. No building permits will be issued to homeowners or pool contractors for the construction of new swimming pools unless verification is provided that 100% of water for filling of pool will be brought in from a water source outside of Garden Ridge.

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10. Restrictions apply to well users.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 1 restrictions continue until there is an announcement that Stage 1 has been canceled or that Stage 2 is in effect.

### **STAGE 2**

**Stage Two Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches 650 feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m.:

| <b>Last Digit of Address</b> | <b>Day</b> |
|------------------------------|------------|
| 0                            | Monday     |
| 1&2                          | Tuesday    |
| 3&4                          | Wednesday  |
| 5&6                          | Thursday   |
| 7&8                          | Friday     |
| 9                            | Saturday   |

Areas without a street address, such as medians, neighborhood entryways or common areas water as if their address ended in a 2.

3. Watering with drip irrigation or a 5 gallon bucket permitted during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. any day.
4. Watering with a hand held hose permitted any day, any time.
5. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited.
6. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
7. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the city.

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- 9. Groundwater may be used to replenish swimming pools to maintenance levels. Drainage of swimming pools is permitted only onto a permeable surface or onto a pool deck where water is transmitted directly to a permeable surface. Refilling of existing swimming pools is prohibited unless at least 30% of the water is obtained from a source other than City provided.

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- 10. Restrictions apply to well users.

11. SURCHARGE OF 50% FOR USAGE ABOVE 45,000 GALLONS.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 2 restrictions continue until there is an announcement that Stage 2 has been canceled or that Stage 3 is in effect.

**STAGE 3**

**Stage Three Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches 640 feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

- 1. Watering with an irrigation system, soaker hose or sprinkler is permitted every other week beginning on the second Monday after Stage III has been declared and only on designated watering day from 4 a.m. – 8 a.m. and 8 p.m. – 11 p.m.

A watering day calendar based upon the last digit of each address will be prepared, distributed and posted monthly during Stage 3 watering restrictions with the following watering schedule as reflected below. [ALTERNATING WEEK THROUGHOUT PERIOD]

WEEK 1

|   |           |
|---|-----------|
| 0 | Monday    |
| 2 | Tuesday   |
| 4 | Wednesday |
| 6 | Thursday  |
| 8 | Friday    |

WEEK 2

|   |           |
|---|-----------|
| 1 | Tuesday   |
| 3 | Wednesday |
| 5 | Thursday  |
| 7 | Friday    |
| 9 | Saturday  |

Areas without a street address, such as medians, neighborhood entryways or common areas water as if their address ended in a 2.

- 2. Watering with a drip irrigation or 5 gallon bucket permitted on scheduled day, during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m.
- 3. Watering with a hand held hose permitted any day, any time.
- 4. Watering newly planted landscapes permitted only with a variance from Garden Ridge City Council.

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5. Washing cars at home is permitted any day at any time over landscape or other surface where run off is minimized and with the use of hose using automatic shut-off nozzle or bucket of 5 gallons or less. Water runoff into streets is prohibited.
6. Water runoff onto streets is prohibited.
7. No person may use groundwater or city provided water for an ornamental outdoor fountain or similar feature.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the city.
9. Groundwater may be used to replenish swimming pools to maintenance levels. Drainage of swimming pools is permitted only onto a permeable surface or onto a pool deck where water is transmitted directly to a permeable surface. Refilling of existing swimming pools is prohibited unless at least 30% of the water is obtained from a source other than City provided.
10. Water customers subject to a 100% surcharge for use over 45,000 gallons.

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This does not apply to non- potable water, gray water, or treated effluent.

Stage 3 restrictions continue until there is an announcement that Stage 3 has been canceled or that Stage 4 is in effect.

**STAGE 4**

**Stage Four Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches 630 feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. All restrictions in Stage 3. EXCEPT THAT.
2. Water customers subject to a 200% surcharge for use over 45,000 gallons.
3. Additional restrictions on water use may be established at the discretion of the City Council.
4. REFILLING OF POOL ONLY IF 50% OF WATER FROM OUTSIDE SOURCES

This does not apply to non- potable water, gray water, or treated effluent.

Stage 4 restrictions continue until there is an announcement that Stage 4 has been canceled or that Stage 5 is in effect.

**STAGE 5**

**Stage Five Alert** begins when declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. All restrictions in Stage 4. EXCEPT THAT.
2. REFILLING POOL ONLY IF 100% FROM OUTSIDE SOURCES.
3. OTHER Conditions as directed by the Mayor and City Council

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4. Use Necessary for Public Health or Safety.
5. Notwithstanding any provision of these rules, groundwater may be used when and to the extent it is necessary to prevent danger to public health, safety or welfare or to the extent required by State or Federal law.
6. Water customers subject to a 300% surcharge for use over 35,000 gallons.

This does not apply to non- potable water, gray water, or treated effluent.

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