

ORDINANCE NO. 159-052015

AN ORDINANCE ESTABLISHING LANDSCAPE AND IRRIGATION SYSTEM REQUIREMENTS FOR RESIDENTIAL AND COMMERCIAL PROPERTIES IN THE CITY OF GARDEN RIDGE FOR THE PURPOSE OF WATER CONSERVATION; PROVIDING FOR VARIANCES AND PROVIDING A PENALTY FOR VIOLATION OF SAID ORDINANCE

WHEREAS, the City of Garden Ridge is a growing community with limited water sources; and

WHEREAS, one water source from which the city pumps water from is legislatively regulated and therefore over pumping from the water source can result in significant fines and levies; and,

WHEREAS, due to weather conditions in south Texas droughts are common and can result in mandatory drought and water conservation restrictions and rules which limit the amount and times at which water can be used by residents and businesses in the city; and

WHEREAS, lot sizes in Garden Ridge are a minimum of $\frac{3}{4}$ acres and landscape and sprinkler systems consume approximately 50% or more of the water metered at residences and businesses in the city and therefore the city has determined that there are means by which this type of water usage can be reduced; and,

WHEREAS, implementing water conservation standards for landscaping and irrigation systems are necessary to preserve and protect the health and safety of the city's residents to ensure an ample water supply for the City of Garden Ridge.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS:

Section 1. Definitions.

Groundcover vegetation – means perennial vegetation that spreads along the ground that is adaptive to traffic and requires minimal maintenance and irrigation

Irrigation system - an underground or above ground system of pipes, fittings and sprinkler heads which when in operation dispenses water onto lawns and landscape

Natural state – means an area or areas of a property on which trees, grasses and other vegetation which are native to the area have remained in their natural state

State licensed irrigator – an individual licensed by the State of Texas to design and install irrigation systems

Summer Dormancy – means the ability of turf grass to survive without water for a period of sixty consecutive days during the months of May through September

Turf grass - means perennial grasses that are adapted to regular mowing and traffic through management

Variance - means an exception to any provisions of this ordinance

Xeriscape – a landscape consisting of a maximum of fifty percent turf grass, with the remaining percentage of landscape incorporating low water use plants and/or pervious hardscape

Section 2. Drought Tolerant Grasses and Ground Cover.

- a) All lawns for new residential and commercial properties and developments must be planted with drought tolerant grasses or other drought tolerant ground cover vegetation that has a period of summer dormancy of sixty consecutive days without water during the months of May through September.

Drought Tolerant Lawn Grasses are limited to:

St. Augustine varieties: Floratam variety only

Bermuda varieties: Celebration
GN1
Tex Turf
Tifway 419
Common
Grimes EXP
Tif Sport

Buffalo varieties: All varieties

Zoysia varieties: El Toro
Empire
Jamur
Palisades

No more than *13,068 square feet* of the pervious ground cover can be irrigated.

- b) Irrigation Limits

No more than 13,068 square feet of the pervious ground cover can be irrigated, regardless of lot size. Irrigation systems installed prior to (date of enactment) are not subject to the 13,068 square feet limitation.

- c) Damaged or Replacement Turf

Existing residential or commercial properties may restore or replace turf. Turf damage or replacement not exceeding 50 percent of the lawn area may be replaced with the same turf.

Damaged or replacement turf exceeding 50 percent of the lawn area must be replanted with acceptable drought tolerant grasses as listed in Section 2 (a) above.

Lawn area does not include any area or areas on a property that been allowed to remain in its native state.

Section 3. Xeriscape Landscape.

- a) New residential and commercial properties and developments must use xeriscape landscaping on all areas of the yard that are not planted in turf. Builders and developers are restricted to offering Xeriscape landscape plans which meet this ordinance. All new residential and commercial developments must incorporate xeriscape landscape requirements into subdivision covenants. Lawn area does not include any area or areas on a property which have been allowed to remain in its native state.
- b) Replacement landscaping on existing residential and commercial properties must incorporate xeriscape landscaping consistent with this ordinance.

Section 4. Irrigation Systems.

- a) Installation, whether by state licensed irrigator or by property owner:

New system, the replacement of existing systems and any extension of any existing system greater than 50 percent of the original system requires approval from the City Water Department prior to beginning installation.

- b) Approval Requirements:

1. A scaled (1" to 30') schematic and detailed plan of the proposed installation. Plans must be drawn in ink.
2. All systems must comply with Texas Administrative Code Title 30, Part 1, Chapter 334, Subchapter C, paragraph (h) and this ordinance.
3. Connection of the irrigation system to the water supply must be done by a licensed irrigator and the backflow device inspected by a licensed backflow tester.
4. The plan must be designed according to Texas Administrative Code Title 30, Part 1, Chapter 344, Landscape irrigation, Subchapter F and include complete coverage of the area to be irrigated.
5. The irrigation plan must include, at minimum, the following information:
 - i. The irrigator's seal, signature and date of signing or the property owner's signature and date of signing.
 - ii. All major physical signatures and the boundaries of the area(s) to be watered
 - iii. A North arrow
 - iv. A legend
 - v. The zone flow measurement for each zone

- vi. Location and type of controller and rain sensor
 - vii. Location, type and size of each:
 - a. Water source, such as but not limited to, a water meter and point(s) of connection.
 - b. Backflow prevention device
 - 1. Must be a minimum of 1" or size of meter if larger
 - c. Water emission devices including, but not limited to, spray heads, rotary sprinkler heads, quick-couplers, bubblers, drip or micro sprays
 - d. Valves including, but not limited to zone valves, master valves and isolation valves
 - e. Pressure regulation component
 - 1. Must be same size as meter and rated for 15-150 psi (not 25-75 psi)
 - f. Main line and lateral piping
 - g. The design pressure, which cannot exceed manufacturer's recommendation
- c) The design of all new, refurbished or extensions of existing sprinkler systems should include water conservation features, such as sprinkler heads which emit large drops of water rather than a fine mist, the use of drip irrigation where possible and sprinkler system layouts that limit the impact of wind.
- d) Irrigation systems must comply with any and all other requirements for such systems as regulated through City of Garden Ridge Ordinance numbers 19, 54 and 61.
- e) Completion of Irrigation System
- (1) Upon completion of the irrigation system, there must be a final inspection with the installer, the City Water Department and, if possible, the home owner.
 - (2) The City is to be furnished a copy of the final plan, noting any changes, if any, from the original plan submitted.

Section 5. Gray Water Recycling Systems for Irrigation.

A Gray Water Recycling System MUST be installed per the International Plumbing Code and Texas Administrative Code, Title 30, Part 1, Chapter 285, On-Site Sewage Facilities, Subchapter H, Disposal of Gray Water, Subparagraphs 285.80 and 285.81

Section 6. Rainwater Harvesting

Rainwater harvesting should follow the guidelines in the Texas Manual on Rainwater Harvesting by the Texas Water Development Board, most current edition.

Section 7. Variance.

A variance to the ordinance is available to any person or entity if they can demonstrate to the City of Garden Ridge City Council after recommendation from the City Water Commission that they possess an alternative plan and seek permitting for an alternative plan that does not meet the specifications of this ordinance but does have the same conservation impact to the property in question. The determination of what constitutes "the same conservation impact to the property in question" shall be in the sole discretion of the governing body and their determination shall be legislative in nature and final. Such determination of a variance shall be based on the information provided to the Council at the time of the requested variance. All such materials must be provided to the City at least 30 days prior to any requested action by the Commission, and after Commission action, shall be set for City Council consideration at its next meeting. If supplemental information is presented, such application for variance must return to the Commission for action, prior to Council Action.

Section 8. Penalty.

A violation of this ordinance by act, or omission, including the failure to comply with any requirement of this Ordinance shall be considered a Class C misdemeanor and the municipal court shall have jurisdiction over such offense. Any person, firm, or corporation violating any provision of this ordinance shall be fined not less than one-hundred dollars (\$100) and not more than five-hundred dollars (\$500.00) for each offense. Each day such act or omission occurs, and each section of the ordinance violated constitutes a separate and independent offense.

In addition to misdemeanor prosecution, the City may seek civil penalties pursuant to Chapter 54 of the Texas Local Government Code for any violation and obtain injunction, attorney's fees, costs of court and civil penalties of up to either \$1,000 per day or \$5,000 per day as provided by State Law. Civil penalties are cumulative to criminal penalties.

Section 9. 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 10. Effective Date

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

PASSED AND APPROVED THIS 6th DAY OF MAY, 2015.



Nadine L. Knaus, Mayor

ATTEST:



Shelley Goodwin, TRMC
City Secretary

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