

# City of Angleton 2024 Drought Contingency and Water Conservation Plan



Contents

Declaration of policy, purpose, and intent ..... 2
Statement of Public Involvement ..... 2
Public Education and Activation ..... 3
Termination of a Drought Contingency and Water Emergency Management Plan..... Error! Bookmark not defined.
Application..... 3
Definitions..... 3
Initiation and Termination Conditions for Stages ..... 6
Stage 1 Mild (Voluntary)..... 6
Stage 2 Moderate (Mandatory) ..... 7
Stage 3 – Severe (Mandatory) ..... 8
Stage 4 - Critical (Mandatory)..... 8
Notification Procedures for Stages ..... 9
ENFORCEMENT .....17
VARIANCES .....19
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ..... Error! Bookmark not defined.
REVIEW AND UPDATE OF DROUGHT CONTINGENCY AND WATER EMERGENCY MANAGEMENT PLAN .....20

## Declaration of policy, purpose, and intent

The City of Angleton 2024 Drought Contingency and Water Emergency Management Plan (“Plan”) is prepared in accordance with TCEQ rules governing development of drought contingency plans for public water suppliers as contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code. . This plan replaces the City of Angleton Drought Contingency Plan 2020.

This Plan provides a short-term water savings strategy during drought or emergency conditions. Water uses that are regulated or prohibited under this Plan are considered nonessential. Continuing such uses during times of water shortage or other emergency water supply conditions constitutes a waste of water, which subjects the offender to penalties as defined in this Plan.

A copy of the Plan can be obtained from the City’s website or the City Secretary.

The Purpose of this Plan is:

- To conserve the available water supply in times of drought, water supply shortage, and emergency.
- To maintain domestic water use, sanitation, and fire protection supplies.
- To protect and preserve public health, welfare, and safety.
- To minimize the adverse impacts of emergency water supply conditions.
- To satisfy the requirements set forth by TCEQ and other agencies.

A drought is defined as an extended period of time when an area receives insufficient rainfall to replenish the water supply, causing water supply shortages. In the absence of drought response measures, water demands tend to increase during a drought due to the increase in outdoor irrigation. The severity of a drought depends on the degree of depletion of water supplies and on the relationship between demand and available water supplies.

## Statement of Public Involvement

The City of Angleton provided an opportunity for public input in the development of this Plan by:

- Providing written notice of the proposed Plan and the opportunity to comment on the Plan by newspaper, posted notice at City Hall, and notice on the City’s website ([www.angleton.tx.us](http://www.angleton.tx.us))
- Making the draft Plan available on the City’s website ([www.angleton.tx.us](http://www.angleton.tx.us))
- Providing the draft plan to anyone requesting a copy.
- Providing an opportunity for public comment on the Plan at a City Council meeting held on May 28, 2024.
- Identifying the city's service area located within the Brazosport Water Authority or the Brazoria County Groundwater Conservation District regions.

## Public Education and Activation

Information about the Plan will be periodically provided to the public, including the conditions under which the Plan is to be initiated or terminated and the drought response measures implemented in each stage.

- The public will be notified through local media and the City’s website as described herein.
- TCEQ Houston Region and BWA or BCGCD will be notified via e-mail, providing details of the reason for initiating the Plan and the response stage.
- If any mandatory provisions of the Plan are activated, the City of Angleton will notify the Executive Director of TCEQ, the Director of Houston Region, and the General Manager of Brazosport Water Authority.
- In addition, if any mandatory provisions of the Plan are activated, the City Manager or his/her official designee will directly notify:
  - Mayor and members of the City Council
  - Fire Chief/ Fire Marshall
  - City Emergency Management Coordinator
  - County Judge and Commissioners
  - Texas Division of Emergency Management
  - Major water users
  - Critical water users, i.e., hospital, dialysis, and nursing facilities
  - Senior Angleton Leaders

## Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City. The terms “person” and “customer” as used in the Plan, includes individuals, corporations, partnerships, associations, and all other legal entities.

The beneficial use of treated wastewater (reuse or recycled water), condensate water, or cooling tower blow down, without waste, is exempt from the provisions of this article and a defense to prosecution. Alternate on-site reclaimed sources may be approved through a variance from the City Manager or his/her designee on a case-by-case basis.

## Definitions

For the purpose of this Plan, the terms below shall have the following meanings:

1. **Aesthetic water use** means water used for ornamental or decorative purposes.
2. **Aquatic Life** means a vertebrate organism dependent upon an aquatic environment to sustain life.

3. **Athletic field** means a public sports competition field that essentially features turf grass, used primarily for organized sports practices, competitions, or exhibition events for schools, professional sports, or league play sanctioned by the utility providing retail water supply.
4. **BWA** means the Brazosport Water Authority.
5. **BCGCD** means the Brazoria County Groundwater Conservation District.
6. **Commercial vehicle wash facility** means a permanently located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full-service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.
7. **Commercial and Institutional Water** use is integral to commercial and nonprofit establishments and governmental entities such as retail establishments, hotels, motels, restaurants, and office buildings.
8. **Conservation** means those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve efficiency in the use of water, or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative services.
9. **Customer** means any person, corporation, or organization using water supplied by the City of Angleton.
10. **Designated outdoor water use day** means a day prescribed by a rule on which a person can irrigate outdoors.
11. **Drip Irrigation** is a micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; it is also called trickle irrigation.
12. **Drought**, for this report, means an extended period when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources to be depleted.
13. **Drought contingency and water emergency response** means a strategy or combination of strategies for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.
14. **Excessive Pooling** means allowing water to pool in a street or parking lot to a depth greater than one quarter (1/4) inch.
15. **Excessive Runoff** means allowing water to run off of property and form a stream of water in a street for a distance of fifty (50) feet or greater.
16. **Foundation Watering** means applying water to the soils directly abutting (within 2 feet) the foundation of a building structure.

17. **Gross Capacity** is the total amount of water the City can pump into the distribution system in a 24-hour period using any combination of pumps at all production facilities, without exceeding the Source Capacity long enough to cause damage to equipment. (*Maximum Capacity*)
18. **Interactive water features** include water spray, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads maintained for recreation.
19. **Irrigation System** means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via pipes or other conduits installed below ground.
20. **Landscape** means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass, or turf species, that is growing or has been planted outdoors.
21. **Major Water Users:** Defined by the top ten user per data received from Utility billing and usage.
22. **Minimum Capacity** is the total amount of water the City can pump into the distribution system in a 24-hour period using the smallest pump running at each production facility and one facility completely out of service.
23. **New Landscaping** means (a) vegetation installed at the time of the construction of a residential or commercial facility, (b) installed as part of a governmental entity's capital improvement project, or (c) installed to stabilize an area disturbed by construction.
24. **Non-essential Water Use** means water uses that are not essential nor required for the protection of public health, safety, and welfare, including:
  - a. irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
  - b. use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle, except with an attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses); an exception is allowed for Commercial Vehicle Wash Facilities.
  - c. use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - d. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - e. flushing gutters or permitting water to run or accumulate in any gutter or street;

- f. use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
  - g. use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
  - h. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
  - i. use of water from hydrants for construction or other purposes other than firefighting.
25. **Normal Capacity** is the total amount of water the City can pump into the distribution system in a 24-hour period without exceeding its Source Capacity, with the largest pump running at each production facility and no equipment out of service.
26. **Ornamental fountain** means an artificially created structure from which a jet, stream, or flow of treated water emanates and is not typically utilized to preserve aquatic life.
27. **Pond** is a still body of water with a surface area of 500 square feet or more, filled with non-potable water and not a swimming pool.
28. **Soaker Hose** means a perforated or permeable garden-type hose or pipe that is laid above ground and provides irrigation at a slow and constant rate.
29. **Source Capacity** is the total amount of water the City can receive into its production facilities in a 24-hour period from all Surface Water providers and Active Groundwater Wells.
30. **Swimming Pool** means any structure, basin, chamber, or tank, including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing and having a depth of two (2) feet or more at any point.
31. **TCEQ** means the Texas Commission on Environmental Quality.
32. **TWDB** means the Texas Water Development Board.

## Initiation and Termination Conditions for Stages

**Generally.** If response stages are initiated by the Houston Region, the BWA, or the BCGCD, the City of Angleton will consider implementing a similar stage of the Plan. Upon assessment of the triggering conditions of the Plan, the City Manager or his/her official designee may decide not to order the implementation of the Plan's response stage even though one or more of the triggering conditions have been met. All decisions must be documented in writing.

Factors that may influence the decision whether to activate or terminate a stage of the Plan include but are not limited to:

- Time of year
- Weather conditions
- Anticipation of replenished water supplies
- Anticipation that additional facilities will become available to meet needs.

## Stage 1 Mild (Voluntary)

### Triggering Conditions for Initiation and Termination of Stage 1

The City may initiate Stage 1 if any one of the following triggering conditions are met:

- The City total daily water demand equals or exceeds 80 percent of Minimum Capacity for three consecutive days either citywide or in a specified portion of the system.
- The City Manager or his/her official designee determines that the initiation of Stage 1 is appropriate based on weather conditions, distribution and water supply system deficiencies, or other relevant factors.
- The Houston Region, the BWA, or the BCGCD initiated Stage 1.

The City may terminate Stage 1 when:

- BWA or BCGCD terminates its Stage 1 condition.
- The conditions that caused the City of Angleton's initiation of Stage 1 have ceased to exist for a period of seven (7) consecutive days.
- The City Manager or his/her official designee determines that the termination of Stage 1 (Voluntary) is appropriate based on weather conditions, distribution and water supply system recovery, or other relevant factors.

## Stage 2 Moderate (Mandatory)

### Triggering Conditions for Initiation and Termination of Stage 2 Moderate (Mandatory)

The City may initiate Stage 2 if any one of the following triggering conditions are met:

- The City total daily water demand equals or exceeds 90 percent of Minimum Capacity for three consecutive days. Water demand could be citywide or in a specified portion of the system.
- The City Manager or his/her official designee determines that initiating Stage 2 is appropriate



based on weather conditions, distribution and water supply system deficiencies, or other relevant factors.

- The Houston Region, the BWA, or the BCGCD has initiated Stage 2.

The City may terminate Stage 2 when:

- The conditions that caused the City of Angleton to initiate Stage 2 have ceased to exist for a period of seven (7) consecutive days.
- The City Manager or his/her official designee determines that the termination of Stage 2 is appropriate based on weather conditions, distribution and water supply system recovery, or other relevant factors.

### Stage 3 – Severe (Mandatory)

#### Triggering Conditions for Initiation and Termination of Stage 3 – Severe (Mandatory)

The City may initiate Stage 3 – Severe (Mandatory) if any one of the following conditions are met:

- The City total daily water demand equals or exceeds 100 percent of Minimum Capacity for three consecutive days. Water demand could be citywide or in a specified portion of the system.
- Angleton’s City Manager or his/her official designee determines that initiating Stage 3 is appropriate based on weather conditions, distribution and water supply system deficiencies, or other relevant factors.
- The Houston Region, the BWA, or the BCGCD initiated Stage 3.

The City may terminate Stage 3 when:

- The conditions that caused the City to initiate Stage 3 – Severe (Mandatory) have ceased to exist for seven consecutive days. Stage 3 – Severe (Mandatory) may terminate if Angleton’s City Manager or his/her official designee determines that the termination of Stage 3 – Severe (Mandatory) is appropriate based on weather conditions, distribution and water supply system recovery, and/or other relevant factors.

### Stage 4 - Critical (Mandatory)

#### Triggering Conditions for Initiation and Termination of Stage 4 – Critical (Mandatory)

The City may initiate a Stage 4 condition for all of the City or the affected part of the City if any one of the

following triggering conditions are met:

- The City experiences major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service.
- The City experiences natural or man-made contamination of the water supply source(s).
- The City’s total daily water demand equals or exceeds 115 percent of Minimum Capacity for three consecutive days and/or the system pressure falls below 35 psi on any single occasion.
- Angleton’s City Manager or his/her official designee determines that the initiation of a Stage 4 – Emergency Water Shortage is appropriate based on weather conditions, distribution and water supply system deficiencies, or other relevant factors.
- The Houston Region, the BWA or the BCGCD has initiated an emergency water shortage.

The City may terminate Stage 4 when:

- The conditions that caused the initiation of Stage 4 –have ceased to exist.
- The City Manager or his/her official designee determines that the termination of Stage 4 is appropriate based on weather conditions, distribution and water supply system recovery, or other relevant factors.

## Notification Procedures for Stages

The City Manager or his/her official designee shall monitor water supply and demand conditions daily and, in accordance with the triggering criteria set forth in this Plan, shall determine when appropriate to implement a Stage 1 Mild (Voluntary), Stage 2 Moderate (Mandatory), Stage 3 – Severe (Mandatory), or Stage 4 – Critical (Mandatory) response and upon activation shall implement the following notification procedures:

### *(1) Notification*

- a. *Notification of the Public.* The City Manager or his/her official designee may notify the public by one or more of the following:
  - i. Publication in a newspaper of general circulation
  - ii. Public service announcements
  - iii. Signs posted in public places

- iv. Take-home fliers at schools
- b. *Additional Notification.* The City Manager or his/her official designee shall notify directly, or cause to be notified directly, the following individuals or entities:
  - i. Mayor and members of the City Council
  - ii. Fire Chief/Fire Marshall
  - iii. City and/or County Emergency Management Coordinator(s)
  - iv. County Judge & Commissioner(s)
  - v. State Disaster District/Department of Public Safety
  - vi. TCEQ (required when mandatory restrictions are imposed)
  - vii. Major water users
  - viii. Critical water users, i.e., hospitals
  - ix. Parks/street superintendents & public facilities managers

*(2) Stage 1 Response - Voluntary*

- a. *Goal:* The goal for water use reduction under Stage 1 (Voluntary) is a two percent (2%) reduction in the amount of water demand as compared to the previous annual period prior to drought restrictions. Measures identified below are voluntary:
- b. *Supply Management Measures:*
  - i. Reduce flushing of water mains.
  - ii. Review the conditions that caused the initiation of Stage 1 (Voluntary).
  - iii. Identify alternative water sources and/or alternative delivery systems.
  - iv. Consider initiating engineering studies to evaluate alternatives should conditions worsen.
- c. *Voluntary Water Use Restrictions:*
  - i. Residential and non-residential water customers are requested to voluntarily limit outdoor watering between 9:00 AM and 7:00 PM and to only water twice per week on assigned trash days, or if the customer doesn't have an assigned trash day, addresses ending in an odd number shall limit watering to Mondays and Wednesdays, and addresses ending in even number shall limit watering to Tuesdays and Thursdays. Residential and non-residential water customers in the western portion of the ETJ are prohibited from outdoor watering between 9:00 AM and 7:00 PM, and are limited to watering on Tuesdays and

Fridays. Residential and non-residential water customers in the eastern portion of the ETJ are prohibited from outdoor watering between 9:00 AM and 7:00 PM, and are limited to watering on Mondays and Thursdays. Residential and non-residential customers shall limit watering to prevent Excessive Runoff and Excessive Pooling.

- ii. Water customers are requested to practice water conservation and to minimize or discontinue non-essential water use.
- iii. Increase public education efforts on ways to reduce water use.
- iv. Intensify efforts on leak detection and repair.
- v. Notify major water users and work with them to achieve voluntary water use reductions.
- vi. Encourage the public to wait until the current drought or emergency situation has passed before establishing new landscaping.
- vii. Encourage the use of attended hand-held hoses with positive shut-off devices.

*(3) Stage 2 Response – Mandatory*

- a. *Goal:* The goal for water use reduction under Stage 2 (Mandatory) is a reduction of ten percent (10%) in the amount of water demand as compared to the previous annual period prior to drought restrictions. Angleton’s City Manager or his/her official designee will consider implementing any action(s) required by the Brazosport Water Authority. In addition, Angleton’s City Manager or his/her official designee may order the implementation of any or all of the actions listed below, as deemed necessary to achieve the specified percent reduction. Angleton shall notify TCEQ, BWA or BCGCD within five (5) business days if these measures are implemented.
- b. *Supply Management Measures:*
  - i. Reduce or discontinue irrigation of public landscaped areas.
  - ii. Reduce or discontinue flushing of water mains.
  - iii. Fix or repair all reported and known leaks in the system within twelve (12) hours of notification or detection.
  - iv. Consider implementing viable alternative water supply strategies.
- c. *Mandatory Water Use Restrictions:*

- i. Continue or initiate any actions available under the Water Conservation Plan and Stage 1 (Voluntary).
- ii. Prohibit using water in such a manner as to allow runoff or other waste.
- iii. Residential and non-residential water customers are prohibited from outdoor watering between 9:00 AM and 7:00 PM and to only water twice per week on assigned trash days, or if the customer doesn't have an assigned trash day, addresses ending in an odd number shall limit watering to Mondays and Wednesdays, and addresses ending in even number shall limit watering to Tuesdays and Thursdays. Residential and non-residential water customers in the western portion of the ETJ are prohibited from outdoor watering between 9:00 AM and 7:00 PM, and are limited to watering on Tuesdays and Fridays. Residential and non-residential water customers in the eastern portion of the ETJ are prohibited from outdoor watering between 9:00 AM and 7:00 PM, and are limited to watering on Mondays and Thursdays. Residential and non-residential customers shall limit watering to prevent Excessive Runoff and Excessive Pooling. Exceptions are as follows:
  1. New landscaping (first year), and new plantings of shrubs and trees (first year) may be watered for up to 2 hours on any day by attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses), a soaker hose, or a dedicated zone using a drip irrigation system.
  2. Locations using sources other than the City's potable water supply for irrigation may irrigate without restrictions. If a golf course utilizes a water source other than the potable water provided by the City, then the facility shall not be subject to these regulations. The use of treated effluent recycled from the City's wastewater treatment facility (non-potable/reuse water) is permissible.
  3. Registered and properly functioning evapotranspiration ("ET")/Smart irrigation systems and drip irrigation systems may irrigate without restrictions.
- iv. Irrigation of landscaped areas or commercial plant nurseries is permitted at any time by means of a faucet filled bucket or water can of five (5) gallons or

less, a drip irrigation system, soaker hose, or by attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses). Excessive Pooling or Excessive Run-Off from automatic or drip irrigation systems is prohibited.

- v. Use of water to wash any motor vehicle, 4-wheeler, boat, trailer, airplane, or other vehicle is prohibited except on designated outdoor watering days. Washing is allowed at any time on designated watering days. Such washing, when allowed, shall be done with a hand-held bucket and attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses). Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station.
- vi. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountain or pond is equipped with a recirculation system.
- vii. Use of water from fire hydrants shall be limited to firefighting activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Angleton.
- viii. Foundation watering is prohibited except on designated outdoor watering days and is prohibited between 9:00 AM and 7:00 PM. Watering is permitted by means of an attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses); or using a soaker hose or drip irrigation system placed within 24 inches of the foundation that does not produce a spray of water above the ground. Excessive Pooling or Excessive Run-Off from foundation watering is prohibited.
- ix. Non-essential Water are prohibited.
- x. Hydroseeding, hydromulching, and sprigging.
- xi. Filling, draining and refilling of existing swimming pools, wading pools, Jacuzzi and hot tubs except to maintain structural integrity, proper operation and maintenance or to alleviate a public safety risk. Existing pools may add water to replace losses from normal use and evaporation.
- xii. Consider initiating a rate surcharge for all water use over a certain level.

- xiii. Encourage the use of attended hand-held hoses with positive shut-off devices are allowed at all times.

*(4) Stage 3 Severe Response – Mandatory*

- a. *Goal:* The goal for water use reduction under Stage 3 is a reduction of twenty percent (20%) in the amount of water demand as compared to the previous annual period prior to drought restrictions, or a greater reduction if deemed necessary by Angleton’s City Manager or his/her official designee. Angleton’s City Manager or his/her official designee will consider implementing any action(s) required by the BCGCD and TCEQ Houston Region. In addition, Angleton’s City Manager or his/her official designee may order the implementation of any or all of the actions listed below, as deemed necessary to achieve the specified percent reduction. Angleton shall notify TCEQ, BWA or BCGCD within five (5) business days if these measures are implemented.
- b. *Supply Management Measures:*
  - i. Reduce or discontinue irrigation of public landscaped areas.
  - ii. Reduce or discontinue flushing of water mains.
  - iii. Fix or repair all reported and known leaks in the system within twelve (12) hours of notification or detection.
- c. *Mandatory Water Use Restrictions:*
  - i. Continue or initiate any actions available under the Water Conservation Plan and Stage 1 (Voluntary) and Stage 2 (Mandatory).
  - ii. Consider implementing viable alternative water supply strategies.
  - iii. Prohibit washing of vehicles except at a Commercial Vehicle Wash Facility, or as necessary for health, sanitation, or safety reasons.
  - iv. Residential and non-residential water customers are requested to voluntarily limit outdoor watering between 9:00 AM and 7:00 PM and to only water twice per week on assigned trash days, or if the customer doesn’t have an assigned trash day, addresses ending in an odd number shall limit watering to Mondays and Wednesdays, and addresses ending in even number shall limit watering to Tuesdays and Thursdays. Residential and non-residential water customers in the western portion of the ETJ are prohibited from outdoor watering between 9:00 AM and 7:00 PM, and are limited to watering on Tuesdays and

Fridays. Residential and non-residential water customers in the eastern portion of the ETJ are prohibited from outdoor watering between 9:00 AM and 7:00 PM, and are limited to watering on Mondays and Thursdays. Residential and non-residential customers shall limit watering to prevent Excessive Runoff and Excessive Pooling Exceptions are as follows:

1. New landscaping (first year), and new plantings of shrubs and trees (first year) may be watered for up to 2 hours on any day by attended hand- held hose with positive shut-off device (no open-ended hoses or unattended hoses), a soaker hose, or a dedicated zone using a drip irrigation system.
2. Locations using other sources of water supply for irrigation may irrigate without restrictions. If a golf course utilizes a water source other than the potable water provided by the City, then the facility shall not be subject to these regulations. The use of treated effluent recycled from the City's wastewater treatment facility (non-potable/reuse water) is permissible.
3. Registered and properly functioning ET/Smart irrigation systems and drip irrigation systems may irrigate without restrictions.



- v. Prohibit the permitting of private swimming pools. Swimming pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled.
- vi. Require all commercial water users to reduce water use by an means.
- vii. Landscape watering of parks, golf courses, and athletic fields with potable water is prohibited, except for parks, golf course greens and tee boxes, and athletic fields, which may be watered by attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses) as needed. Variances may be granted by the City under special circumstances.
- viii. Prohibit the operation of interactive water features such as water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, or splash pads that are maintained for public recreation.
- ix. Attended hand-held hoses with positive shut-off devices are allowed at all times.

*(1) Stage 4 Emergency Water Shortage Response – Mandatory*

- a. *Goals:* The goal for water use reduction under a Stage 4 – Emergency Water Shortage (Mandatory) is a reduction of thirty five percent (35%) in the amount of water demand as compared to the previous annual period prior to drought restrictions, or whatever amount is deemed necessary. If circumstances warrant or if required by the Brazosport Water Authority, Angleton’s City Manager or his/her official designee may set a goal for a greater water use reduction. Angleton’s City Manager or his/her official designee will consider implementing any action(s) required by the Brazosport Water Authority. In addition, Angleton’s City Manager or his/her official designee may order to implement any of the actions listed below as deemed necessary. Measures can be initiated for all or part of the City, as appropriate. Measures described as “requires notification to TCEQ” impose mandatory requirements on member cities and customers. The supplier shall notify TCEQ, the City of BWA or BCGCD within five (5) business days if these measures are implemented.

b. *Supply Management Measures:*

- i. Reduce or discontinue irrigation of public landscaped areas.
- ii. Reduce or discontinue flushing of water mains.
- iii. Fix or repair all reported and known leaks in the system within twelve (12) hours of notification or detection.

c. *Mandatory Water Use Restrictions:*

- i. Continue or initiate any actions available under the Water Conservation Plan and Stage 1 Mild (Voluntary), Stage 2 Moderate (Mandatory), and Stage 3 – Severe (Mandatory).
- ii. Implement viable alternative water supply strategies. The City of Angleton will consider delivering water to central distribution points throughout the City.
- iii. All landscape irrigation use is prohibited.
- iv. All non-essential water use is prohibited.
- v. All aesthetic water use is prohibited.
- vi. All commercial and institutional water use customers are encouraged to practice conservation measures and may be required to cease certain operations as directed by Angleton’s City Manager or his/her official designee.

## ENFORCEMENT

- a) No person shall knowingly or intentionally allow the use of water from the City of Angleton for residential, commercial, industrial, agricultural, governmental, or any other purposes in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Director or his/her designee in accordance with provisions of this Plan.
- b) Any person who violates this Plan is guilty of a Class C misdemeanor and, upon conviction, shall be punished by a fine of not less than \$100 and not more than \$2,000. Each day that one or more of the provisions in this Plan is violated shall constitute a

separate offense. Service may be discontinued upon issuance of a citation for the second violation. Service discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$150.00 (or as adjusted by City ordinance), and any other costs incurred by the City of Angleton in discontinuing service. Repeat offenses shall be subject to reconnect fees of twice the amount stated above. Severity-considered warnings may be given at any time for informational purposes. Warnings are an attempt to inform the violator and do not count as a citable offense. In addition, suitable assurance by the violator must be given to the Director that the same action will not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in district court.

- c) Any person, including a person classified as a water customer of the City of Angleton, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Legal guardians shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- d) Any employee of the City of Angleton, police officer, or other employee designated by the City Manager or his designee, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct the person to appear in the municipal court on the date shown on the citation for which the date shall not be less than five (5) days nor more than fifteen (15) days from the date the citation was issued. The alleged violator shall be served a copy of the citation, which the City may deliver by certified mail with return receipt requested to the address of the alleged violator if known. The alleged violator shall appear in municipal court to plead guilty or not guilty for violating this Plan. If the alleged violator fails to appear in municipal

court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given a preferential municipal court setting.

## VARIANCES

- a) The City Manager, or his/her designee, may, in writing, grant a temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such a variance would cause an emergency condition to adversely affect health, sanitation or fire protection/business consideration, for the public or the person requesting such variance and if one or more of the following conditions are met:
  - 1) Compliance with this plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the plan is in effect or
  - 2) Alternative methods can be implemented to achieve the same level of reduction in water use.
  
- b) Petition: Persons requesting an exemption from the provisions of this section shall file a petition for variance with the City within five (5) days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his/her designee, and shall include the following:
  - 1) Name, address and phone number of the petitioner(s);
  - 2) Purpose of water use;
  - 3) Specific provision(s) of the Plan from which the petitioner is requesting relief;
  - 4) Description of specific relief requested;
  - 5) Period of time for which the variance is sought.
  
- c) Conditions: Variances granted hereunder shall contain the following conditions, unless waived by the City Manager or his/her designee:
  - 1) A timetable for compliance;

- 2) Expiration when the Plan is terminated, unless the petitioner has failed to meet specific requirements; and
- 3) No variance shall be retroactive or otherwise justify any violation of this Plan that occurred prior to the issuance of the variance.

## REVIEW AND UPDATE OF DROUGHT CONTINGENCY AND WATER EMERGENCY MANAGEMENT PLAN

As required by TCEQ rules, the City of Angleton must review the Drought Contingency and Water Emergency Management Plan every five years. The Plan will be updated as appropriate based on new or updated information.