



# Updates to Chapter 82 (Utilities) of the Code of Ordinances

## City Council

PUBLIC WORKS DEPARTMENT

# Purpose, Background, and Outline



**Staff requests City Council approval of revisions to five sections of Chapter 82 (Utilities) of the City's Code of Ordinances:**

- One is regarding watering restrictions and is required per terms of the wholesale water supply agreement with Fort Worth
- Two are regarding certain industrial waste discharges and are required per terms of the wholesale wastewater service agreement with Fort Worth
- Two are regarding backflow prevention assembly testing and are proposed by staff to enhance efficiency and accuracy of these state-required reports

# Watering Restrictions

- Current wholesale water supply agreement with Fort Worth includes requirements for Burleson to enact the same water use restrictions, rationing, and conservation as Fort Worth
- Water use restriction ordinance adopted by Fort Worth November 2025 incorporates new progressive enforcement process for violations to prevent water waste, reduce water system peak demands, and slow the need for costly system expansions
  - Incorporates use of AMI data to assess violations where applicable (visual inspections for residential properties)
  - Assesses a non-compliance administrative fee in lieu of civil penalties on a customer's monthly billing cycle (progressive penalties - 2<sup>nd</sup> notice of violation = \$25, 3<sup>rd</sup> = \$50, and 4<sup>th</sup> = \$75)
  - Provides potential to lock or shut-off irrigation service for repeated violations beyond 4<sup>th</sup>
  - Establishes requirements for re-establishment of service

**The current twice weekly watering schedule remains unchanged**

# Current Burleson Irrigation Restrictions (Chapter 82-14, Ordinance CSO#130-01-2015)

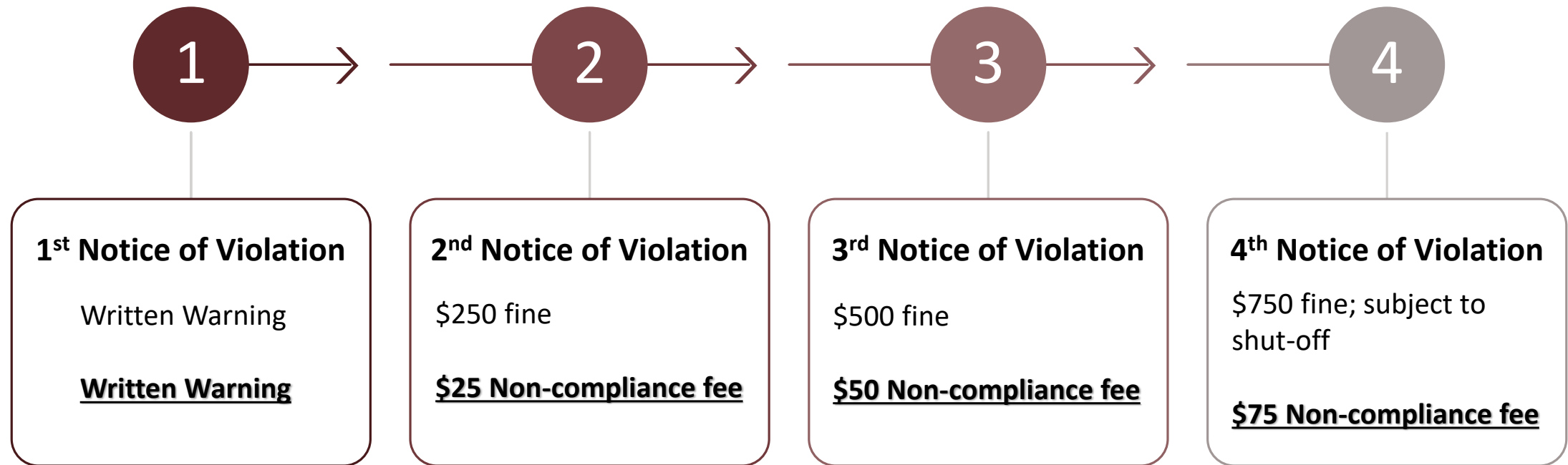
Except for hand watering and use of soaker hoses, irrigation/watering is **not allowed**:

- Between 10am and 6pm on **any** day, 365 days per year
- Any day **other than** the twice per week schedule outlined below:
  - Even-numbered single-family residential addresses – Wednesdays and Saturdays
  - Odd-numbered single-family residential addresses – Thursdays and Sundays
  - All non-residential (non-single-family residential) – Tuesdays and Fridays



Variances may be granted in limited circumstances

# Penalties in *Current* and Proposed Burleson Chapter 82-14



Subsequent violations subject to Non-emergency termination of irrigation service; lock out fees, lock out tampering fees (if applicable), and restoration fees

**Proposed ordinance replaces citations processed through Municipal Court with non-compliance fees added to water bills**

Note: Five violations documented in calendar year 2025 in Burleson - lower dollar amount penalties in the proposed ordinance are anticipated to result in more consistent application and ultimately the desired behavior change

# Public Outreach

In collaboration with the city's award-winning Communications team, a campaign to raise awareness of water conservation and irrigation restrictions has been underway over the last couple of months (see examples) and will continue through the summer with emphasis on any ordinance updates adopted



Source: EPA WaterSense



# Community Services Committee Feedback

- Staff presented an overview of the proposed ordinance to the committee February 4, 2026
- Committee supported moving the ordinance forward to City Council

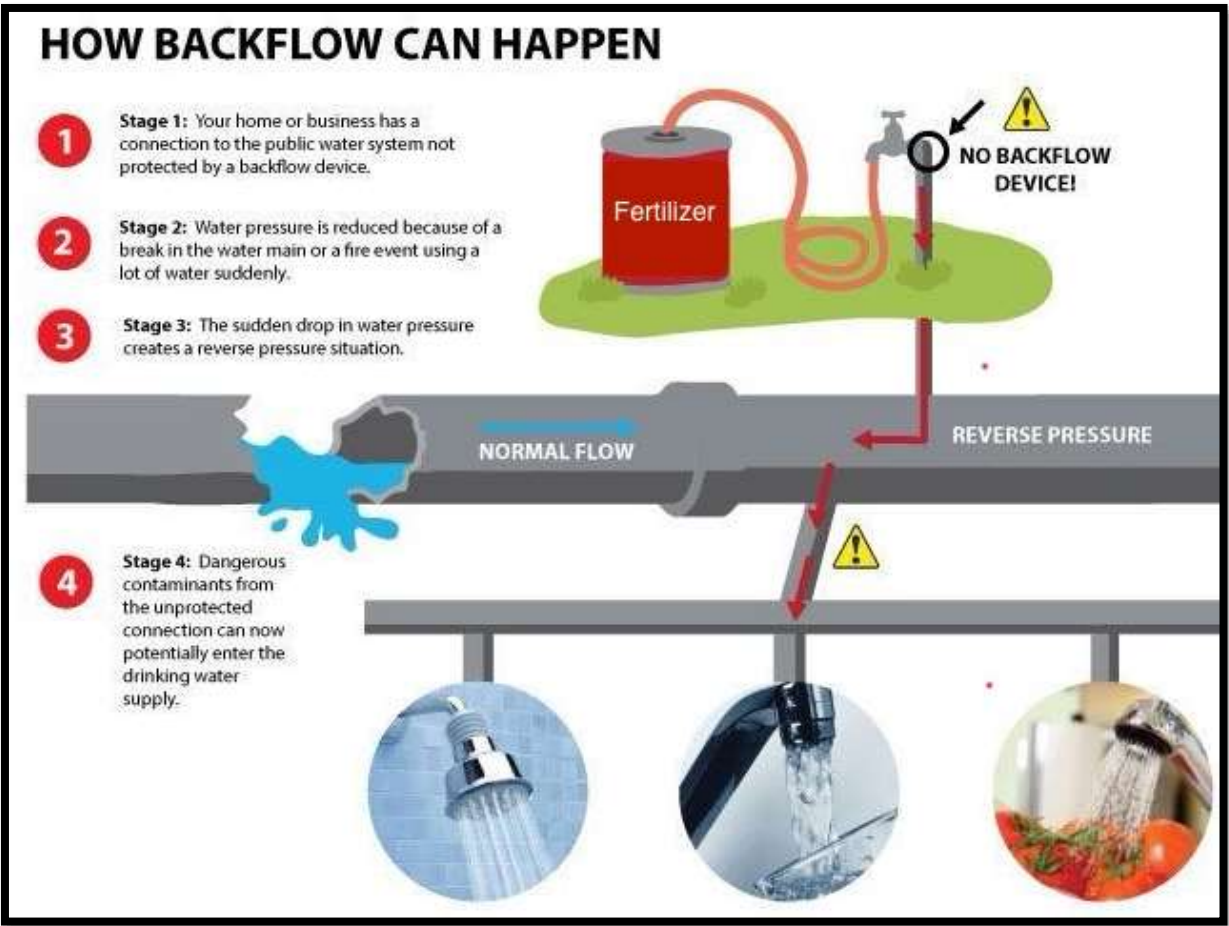
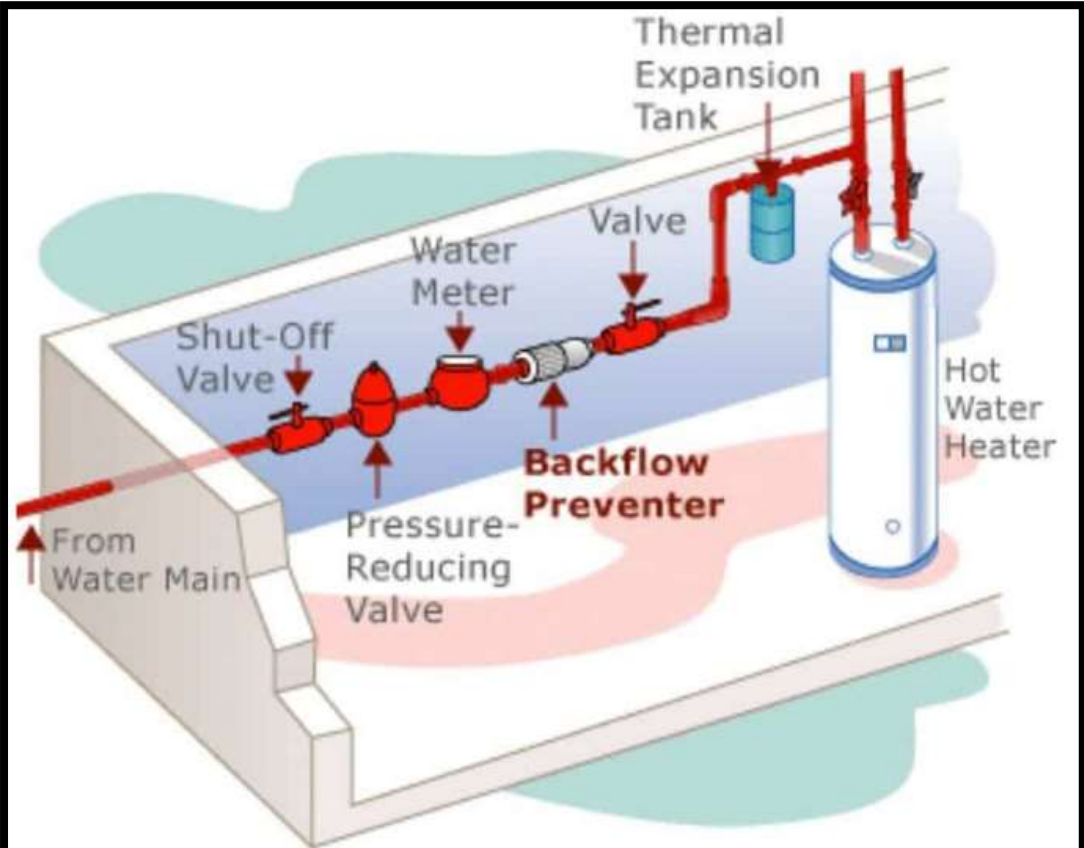


# Industrial Waste Discharge

- Current wholesale wastewater service agreement with Fort Worth includes requirements for Burleson participation in Fort Worth's compliance with federal and state permits and to enact ordinances consistent with those in Fort Worth related to wastewater discharge and compliance
- Evolving regulatory requirements have caused Fort Worth to amend an ordinance to position them for compliance and require cooperation of their customers (including wholesale cities like Burleson and the customers of those cities)
- Recent ordinance adopted by Fort Worth:
  - Limits hauling or trucking of highly toxic industrial waste to help ensure that dangerous industrial compounds are removed before leaving the industrial site
  - Adds new definitions for PFAs ("forever chemicals")
  - Prohibits PFAs or PFAs-related substances above baseline concentrations without a plan of correction that incorporates best management practices
- Changes to both Chapters 82-41 and 82-43 are necessary to align Burleson ordinances with the recent Fort Worth changes regarding highly toxic waste and PFAs

# Backflow Prevention Assembly Test (BPAT) Reporting

International Plumbing Code (Ch. 6), International Residential Code (Ch. 29), and TCEQ require assemblies as protection for public water system and require annual testing



Backflow: Water flowing opposite its intended direction, either from loss of pressure in supply lines or increase in pressure on customer side - backflow can carry contaminants with it into supply lines

Codes in effect at time of construction/renovation determine assemblies or other devices required

# Backflow Prevention Assembly Test (BPAT) Reporting

- Texas Commission on Environmental Quality (TCEQ) and plumbing codes require installation and annual testing of backflow prevention devices to prevent contamination of the public water system
- TCEQ requires the public water system (Public Works) to receive BPAT reports (on paper or electronically including online) and retain them for three years
- Public Works receives hundreds of reports annually, mostly hand-written and through the U.S. mail that must be manually processed into a database
- Property owners hire state-licensed testers to conduct annual tests
- Changes to both Chapters 82-233 and 82-240 are necessary to enable the transition to a more efficient online system of receiving and maintaining the reports
  - 82-233 to require the reports be submitted online
  - 82-240 to require state licensed testers to register for online submittal

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**THE CITY OF BURLESON**  
TEXAS

**The City of Burleson Backflow Prevention Assembly Test and Maintenance Report**

The following form must be completed for each assembly tested. A signed and dated original must be submitted to the public water supplier for recordkeeping \*purposes\*.

|                                                                     |                                     |  |  |
|---------------------------------------------------------------------|-------------------------------------|--|--|
| NAME OF PWS:                                                        | City of Burleson                    |  |  |
| PWS ID#:                                                            | 1260002                             |  |  |
| PWS MAILING ADDRESS:                                                | 141 W Renfro St. Burleson, TX 76028 |  |  |
| PWS CONTACT PERSON:                                                 | [REDACTED]                          |  |  |
| ADDRESS OF SERVICE AND BUSINESS NAME OR IF RESIDENTIAL PLEASE LIST: | [REDACTED]                          |  |  |

The backflow prevention assembly detailed below has been tested and maintained as required by commission regulations and is certified to be operating within acceptable parameters.

| TYPE OF BACKFLOW PREVENTION ASSEMBLY (BPA):                           |                                                                        |         |                          |
|-----------------------------------------------------------------------|------------------------------------------------------------------------|---------|--------------------------|
| <input checked="" type="checkbox"/> Reduced Pressure Principle (RPBA) | <input type="checkbox"/> Reduced Pressure Principle-Detector (RPBA-D)  | Type II | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Double Check Valve (DCVA)         | <input type="checkbox"/> Double Check-Detector (DCVA-D)                | Type II | <input type="checkbox"/> |
| <input type="checkbox"/> Pressure Vacuum Breaker (PVB)                | <input type="checkbox"/> Spill-Resistant Pressure Vacuum Breaker (SVB) |         |                          |

|                |       |         |         |  |               |                                          |       |         |  |
|----------------|-------|---------|---------|--|---------------|------------------------------------------|-------|---------|--|
| Manufacturer:  | Main: | Watts   | Bypass: |  | Size:         | Main:                                    | 1 1/2 | Bypass: |  |
| Model Number:  | Main: | LP00701 | Bypass: |  | BPA Location: | Left back wall under counter, in kitchen |       |         |  |
| Serial Number: | Main: | H00795  | Bypass: |  | BPA Serves:   | Serves kitchen nothing                   |       |         |  |

Reason for test: New ☐ Existing ☒ Replacement ☐ Old Model/Serial # ☐

Is the assembly installed in accordance with manufacturer recommendations and/or local codes? ☒ Yes ☐ No

Is the assembly installed on a non-potable water supply (auxiliary)? ☐ Yes ☒ No

| TEST RESULT                                                                             | Reduced Pressure Principle Assembly (RPBA)                                                              |                                                                                                         |                                                                       | Type II Assembly                                                                                        | PVB & SVB                                                                                                                                         |                                                     |
|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
|                                                                                         | DCVA                                                                                                    |                                                                                                         | Relief Valve                                                          | Bypass Check                                                                                            | Air Inlet                                                                                                                                         | Check Valve                                         |
| <b>PASS</b> <input checked="" type="checkbox"/><br><b>FAIL</b> <input type="checkbox"/> | 1st Check                                                                                               | 2nd Check***                                                                                            |                                                                       |                                                                                                         |                                                                                                                                                   |                                                     |
| <b>Initial Test</b><br>Date: 2-9-24<br>Time: 1:35                                       | Held at 1/2 psid<br>Closed Tight <input checked="" type="checkbox"/><br>Leaked <input type="checkbox"/> | Held at 1/2 psid<br>Closed Tight <input checked="" type="checkbox"/><br>Leaked <input type="checkbox"/> | Opened at 2' psid<br>Did not open <input checked="" type="checkbox"/> | Held at 1/2 psid<br>Closed Tight <input checked="" type="checkbox"/><br>Leaked <input type="checkbox"/> | Opened at 1/2 psid<br>Did not open <input checked="" type="checkbox"/><br>(Yes <input type="checkbox"/> /No <input checked="" type="checkbox"/> ) | Held at 1/2 psid<br>Leaked <input type="checkbox"/> |
| Repairs and Materials Used**                                                            | Main:<br>Bypass:                                                                                        |                                                                                                         |                                                                       |                                                                                                         |                                                                                                                                                   |                                                     |
| <b>Test After Repair</b><br>Date:<br>Time:                                              | Held at 1/2 psid<br>Closed Tight <input checked="" type="checkbox"/>                                    | Held at 1/2 psid<br>Closed Tight <input checked="" type="checkbox"/>                                    | Opened at 1/2 psid                                                    | Held at 1/2 psid<br>Closed Tight <input checked="" type="checkbox"/>                                    | Opened at 1/2 psid                                                                                                                                | Held at 1/2 psid                                    |

\*\*\* 2nd check: numeric reading required for DCVA only

|                                   |                                              |                                       |
|-----------------------------------|----------------------------------------------|---------------------------------------|
| Differential pressure gauge used: | Potable: <input checked="" type="checkbox"/> | Non-Potable: <input type="checkbox"/> |
| Make/Model: Apollo 40-200 TK5U    | SN: 08122209                                 | Date tested for accuracy: 09-16-24    |

Remarks:

|                  |                                   |                                    |                |
|------------------|-----------------------------------|------------------------------------|----------------|
| Company Name:    | .01 Accuracy Backflow             | Licensed Tester Name (Print/Type): | Michael Machen |
| Company Address: | Po Box 6832<br>McKinney, Tx 75071 | Licensed Tester Name (Signature):  | [Signature]    |
| Company Phone #: | 972-699-7156                      | BPAT License #                     | BP0018647      |
|                  |                                   | License Expiration Date:           | 10-17-27       |

The above is certified to be true at the time of testing.

\* TEST RECORDS MUST BE KEPT FOR AT LEAST THREE YEARS [30 TAC §290.46(B)]  
\*\* USE ONLY MANUFACTURER'S REPLACEMENT PARTS

Address: 725 SE John Jones Dr. Burleson, TX 76028 Email: backflow@burlesontx.com

# Actions Requested

1. Approve an ordinance amending Section 82-14 of the Code of Ordinances modifying drought contingency penalties and enforcement
2. Approve an ordinance amending Section 82-41 of the Code of Ordinances providing definitions for PFAs-related terms
3. Approve an ordinance amending Section 82-43 of the Code of Ordinances limiting hauling or trucking waste with detectable quantities of PFAs and prohibiting PFAs or PFAs-related substances above baseline concentrations without a plan of correction implementing best management practices
4. Approve an ordinance amending Section 82-233 of the Code of Ordinances to require backflow prevention assembly testing reports to be filed online
5. Approve an ordinance amending Section 82-240 of the Code of Ordinances to require backflow prevention assembly testers to be registered to submit test reports online



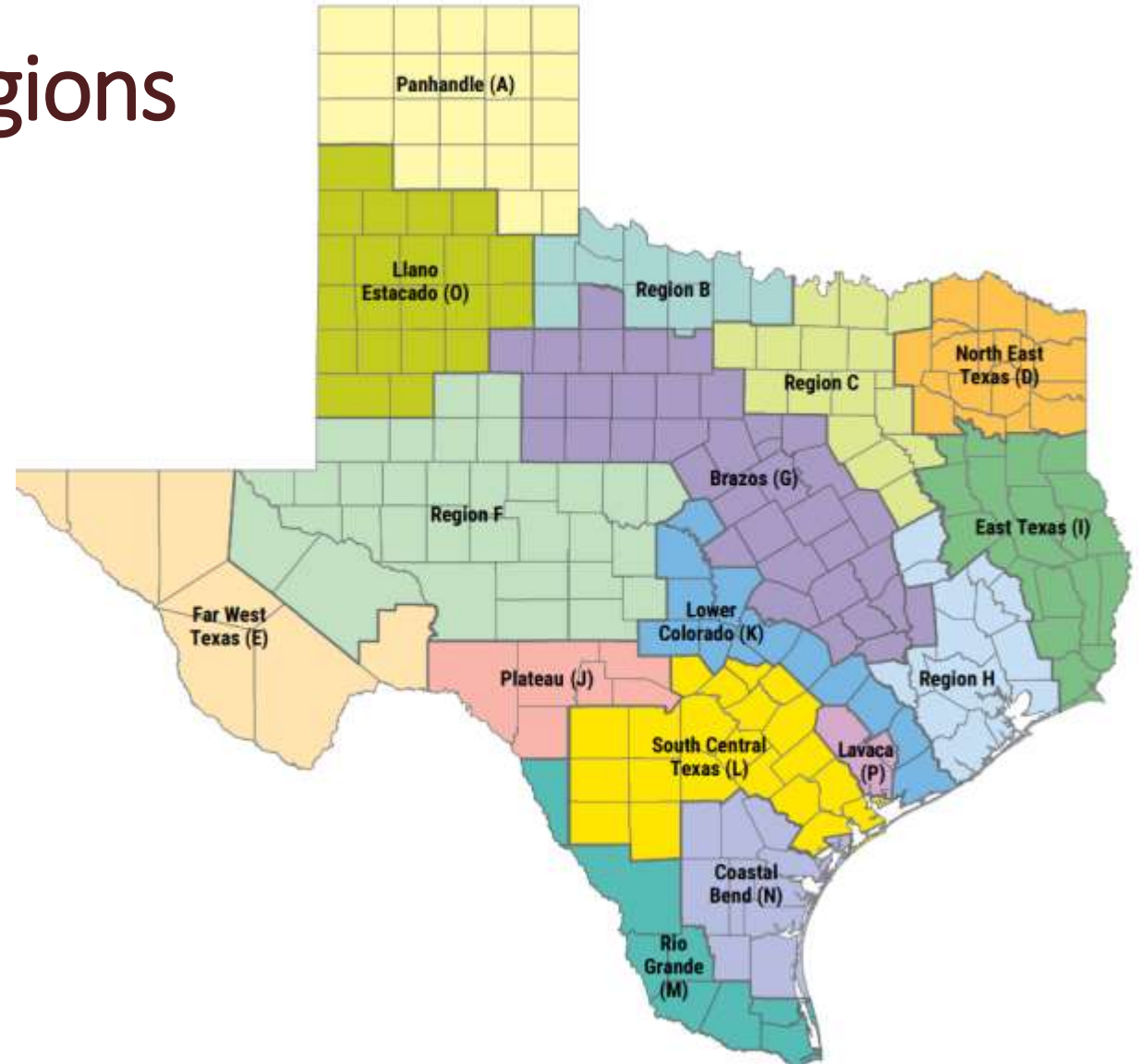
# Questions / Discussion

# Appendix

State / Regional Water Planning Information

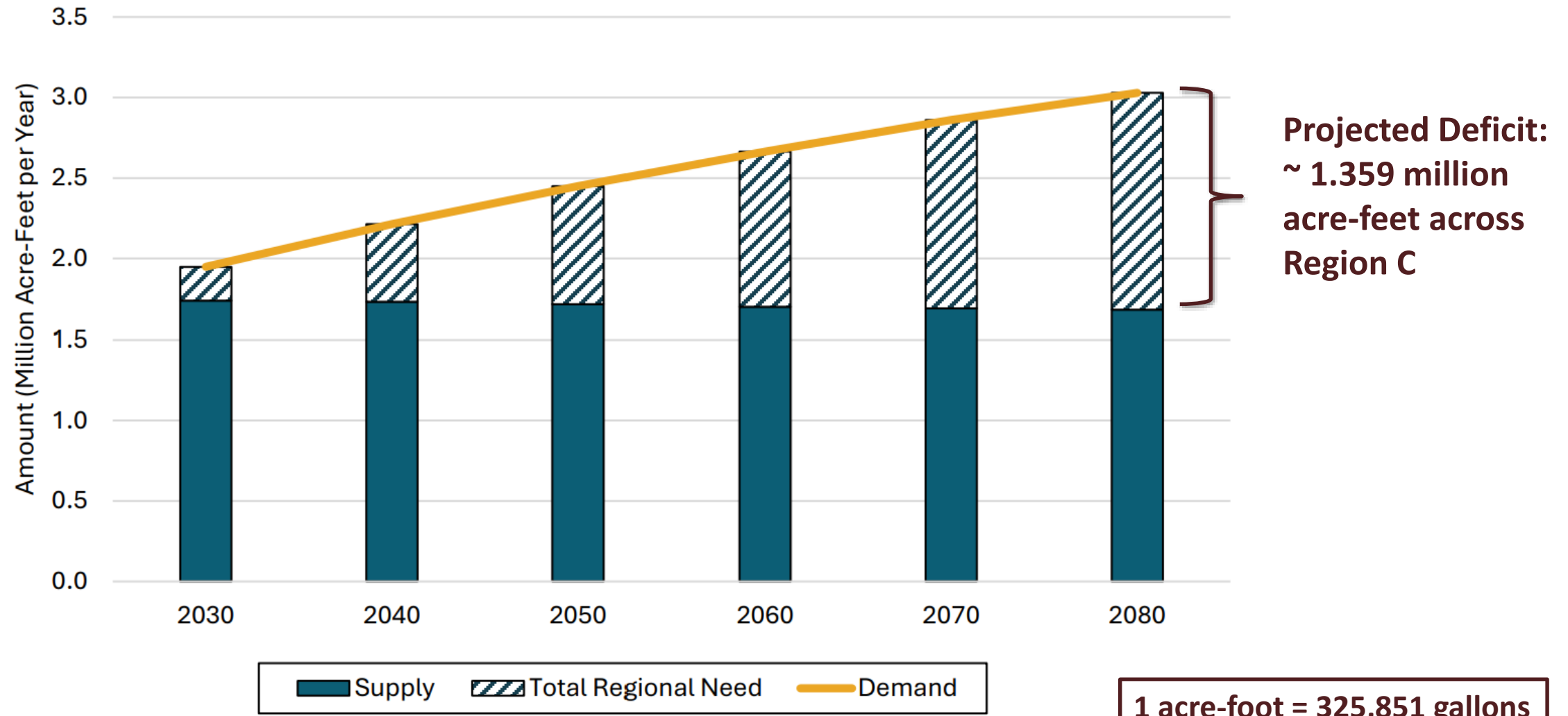
# State Water Planning Regions

- Burleson physically lies within both Region C (Tarrant County) and Region G (Johnson County)
- Burleson's wholesale supply comes from City of Fort Worth



Source: Texas Water Development Board

**FIGURE 4.1 COMPARISON OF CONNECTED SUPPLY WITH PROJECTED DEMAND BY DECADE**



Source: TWDB, 2026 Region C Water Plan

1 acre-foot = 325,851 gallons

**TABLE 4.2 PROJECTED SHORTAGE BY USE TYPE FOR REGION C**

| CATEGORY             | VALUES IN ACRE-FEET PER YEAR |                |                |                |                  |                  |
|----------------------|------------------------------|----------------|----------------|----------------|------------------|------------------|
|                      | 2030                         | 2040           | 2050           | 2060           | 2070             | 2080             |
| Municipal            | 220,512                      | 467,639        | 709,949        | 933,232        | 1,132,540        | 1,301,192        |
| Irrigation           | 5,501                        | 5,498          | 5,498          | 5,507          | 5,538            | 5,584            |
| Livestock            | 0                            | 0              | 0              | 0              | 0                | 0                |
| Manufacturing        | 9,142                        | 19,946         | 24,070         | 27,767         | 31,018           | 33,740           |
| Mining               | 123                          | 211            | 890            | 2,587          | 5,105            | 8,473            |
| Steam Electric Power | 1,022                        | 5,591          | 6,845          | 8,163          | 9,196            | 10,034           |
| <b>TOTAL</b>         | <b>236,300</b>               | <b>498,885</b> | <b>747,252</b> | <b>977,256</b> | <b>1,183,397</b> | <b>1,359,023</b> |

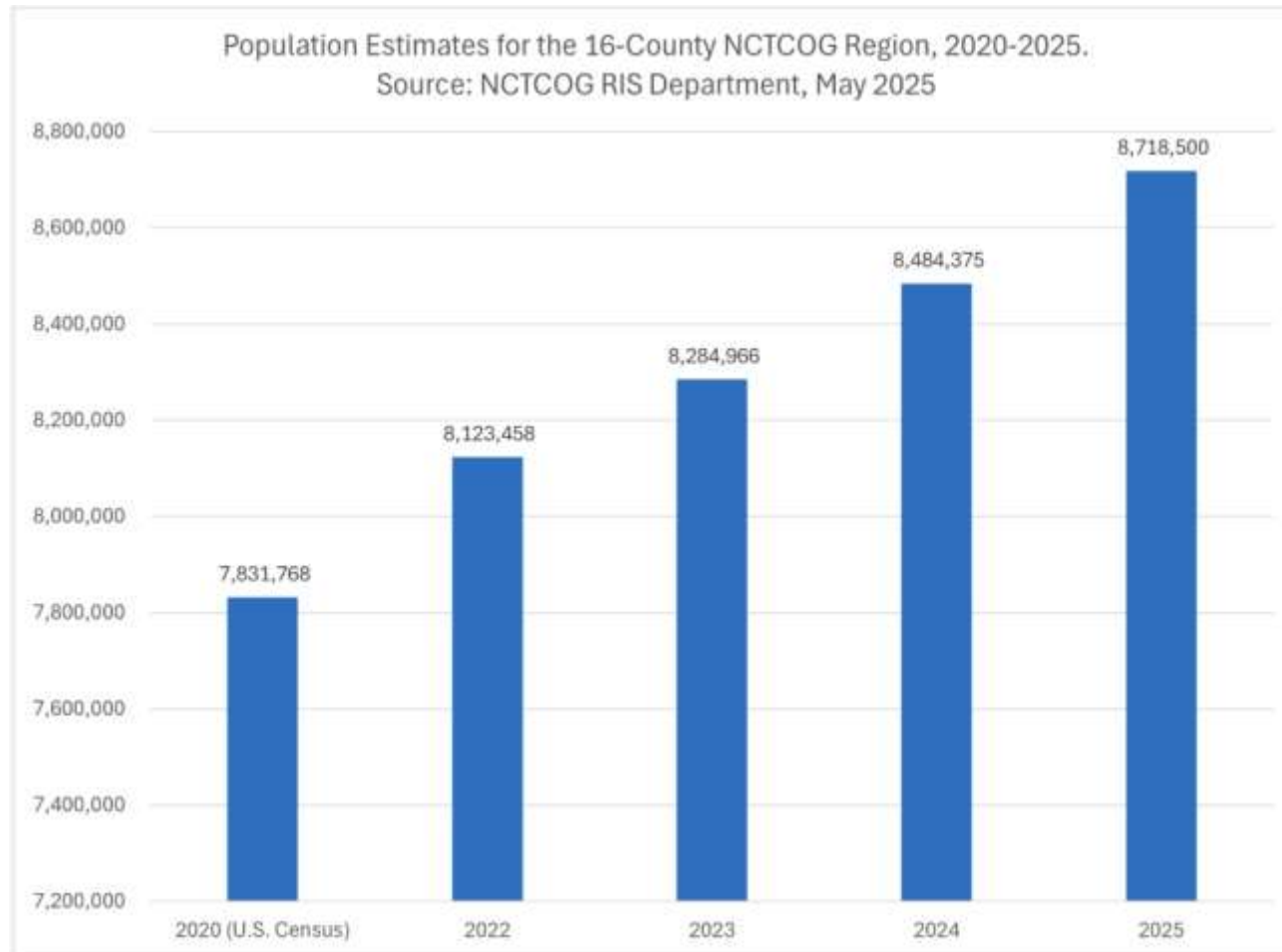
Source: TWDB, 2026 Region C Water Plan

**Projected shortage for irrigation alone just in Water Planning Region C is 5,501 acre-feet or approximately 1.8 Billion gallons in 2030**

Municipal water demand includes water used by a variety of consumers including single-family residences, multi-family residences, and non-residential establishments (commercial, institutional, and *light* industrial). Residential and non-residential consumers uses include drinking, cooking, sanitation, cooling, and landscape watering.

# Additional Drivers

Continued population growth – approximately 200,000 people added to the region each year for the past five years



2026 FIFA World Cup – nine matches to be played in the region (said to be equivalent to hosting 10 Super Bowls) generating additional water demands this summer and making conservation even more important than normal

