
City Council Regular Meeting

DEPARTMENT: Public Works

FROM: Justin Scharnhorst, Deputy Director of Public Works

MEETING: August 3, 2026

SUBJECT:

Consider and take possible action on an ordinance amending Section 82-14 “Drought Contingency; Regulations Authorized” of Division 3 “Drought Contingency and Water Conservation” of Article I “In General” of Chapter 82 “Utilities” of the Code of Ordinances concerning drought contingency penalties and enforcement. (Final Reading) (*Staff Contact: Justin Scharnhorst, Deputy Director of Public Works*)

STRATEGIC PRIORITY AND GOAL:

Strategic Priority	Strategic Goal
 Dynamic & Preferred City Through Managed Growth	2.5 Develop and maintain facilities and utility services

SUMMARY:

The city’s current wholesale water supply agreement with Fort Worth includes requirements for Burleson to enact the same water use restrictions, rationing, and conservation as those enacted by the City of Fort Worth. A new ordinance regarding watering restrictions was adopted by Fort Worth November 11, 2025, incorporating a new progressive enforcement process for violations to prevent water waste, reduce water system peak demands, and slow the need for costly system expansions. The ordinance enables the use of advanced water metering infrastructure data to assess violations where applicable and continues to rely on visual inspections for residential properties. Failure of Burleson to maintain consistency with Fort Worth could be considered a breach of the wholesale agreement.

The city’s current ordinance prohibits irrigation/watering except for hand watering and use of soaker hoses between the hours of 10am and 6pm every day of the year. In addition, the current ordinance establishes a twice weekly irrigation/watering schedule:

- Even-numbered single-family residential addresses are allowed to water before 10am and after 6pm on Wednesdays and Saturdays
- Odd-numbered single-family residential addresses are allowed to water before 10am and after 6pm on Thursdays and Sundays
- All non-residential (non-single-family residential) addresses are allowed to water before 10am and after 6pm on Tuesdays and Fridays

No irrigation/watering is allowed on Mondays at any hour of the day. The current ordinance allows for variances subject to Public Works Director approval in limited circumstances consistent with the city's drought contingency plan.

The proposed ordinance maintains the twice weekly watering schedule of the current ordinance. The primary changes in the proposed ordinance are 1) transitioning from civil fines for violations generally processed by citations through the municipal court to administrative non-compliance fees that would be processed through the utility bill and 2) reducing the penalty amounts while maintaining a progressive enforcement process:

- a. First offense - written notice of violation accompanied by educational information on proper irrigation scheduling
- b. Second offense - written notice of violation accompanied by educational information on proper irrigation scheduling plus an administrative fee of \$25
- c. Third offense - written notice of violation accompanied by educational information on proper irrigation scheduling plus an administrative fee of \$50
- d. Fourth offense - administrative fee of \$75 and written notification by US mail to the property owner, property manager, or business representative for commercial properties
- e. Subsequent offenses - temporary shut-off of irrigation service and assessment of a shut-off and restoration fee in accordance with the City's adopted fee schedule

Each day that a violation occurs constitutes a separate violation. However, the utility will generally aggregate violations into a single enforcement action administered within a customer's monthly billing cycle. Irrigation service will be restored only upon payment of a reconnection fee as prescribed in the current city fee schedule and any outstanding administrative fee.

RECOMMENDATION:

Approve an ordinance amending Section 82-14 of the Code of Ordinances modifying drought contingency penalties and enforcement.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

February 4, 2026: Community Services Committee was briefed and recommended the City Council approve the ordinance

July 20, 2026 City Council – First Reading

REFERENCE:

N/A

FISCAL IMPACT:

Proposed Expenditure/Revenue: N/A

Account Number(s): N/A

Fund: N/A

Account Description: N/A

Procurement Method: N/A

STAFF CONTACT:

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