

# WATER CONSERVATION PLAN

## CITY OF ARANSAS PASS



PREPARED BY:



**Naismith Engineering, Inc**  
ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING

December 2008  
Project No. 3230

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## WATER CONSERVATION PLAN

### Introduction

In accordance with the guidelines of the Texas Water Development Board (TWDB), the City of Aransas Pass, (hereafter referred to as “the City”), has prepared this Water Conservation Plan.

### Water Conservation Plan Goals

The purpose of this water conservation plan is intended to comply with TWDB and Texas Commission on Environmental Quality (TCEQ) requirements and achieve:

- Long-term reductions in overall water demand (164.38 gpcd) by 2.5% per capita (4.11 gpcd) over the next five (5) years and 5% per capita (8.22 gpcd) over the next ten (10) years;
- Reductions in percent unaccounted for water (17.31 gpcd) by 25% (4.33 gpcd) over the next five (5) years and 50% (8.66 gpcd) over the next ten (10) years.

Given current and projected water and wastewater service requirements and issues, specific water conservation objectives are:

- To reduce waste and influence conservation habits of the residents of the City;
- To reduce unaccounted for water such that future development of treatment facilities can be deferred; and
- To investigate the feasibility of reusing wastewater for suitable non-potable uses (i.e., irrigation of public green space and private landscaping).

### Background Information

The City of Aransas Pass currently provides water service to over 8,864 people in their service area. Only residents inside the City Limits of Aransas Pass receive wastewater collection and treatment service. Analysis of water production data from the City’s treatment plant provides an indication of water use patterns. Peak water demand occurs in the summer months, reflecting both seasonal population influx and increased water demand utilized for landscape irrigation. The City of Aransas Pass is proposing a wastewater improvements project for the colonia areas northwest of the City. Within the colonia areas, expansion of the City’s wastewater collection system would provide first time service to these homes, eliminating health problems from improper use and disposal of cesspools and septic tanks.

Population in the City of Aransas Pass Area is expected to grow from an estimated year 2000 Census population of 8,138 to a projected 9,851 by 2010, to an estimated population of 11,663 in 2020.

### Water Utility System Profile

A Water Conservation Utility Profile, TWDB Form WRD-264 for the City is provided in **Appendix A**. The City of Aransas Pass's service area has 3,643 active water connections currently.

The City's current water distribution pumping capacity is rated at 5,600 gallons per minute (gpm) or 2.0 million gallons per day (mgd). Total water storage capacity is 2 million gallons, of which 0.5 million gallons are elevated storage.

The City will initiate a water meter testing and replacement program where older meters are tested and replaced as necessary. As part of the City's proposed water system improvements, old and undersized water mains will be replaced which should result in lower water loss rates and improved system water pressures.

### Wastewater System Profile

Ninety-one percent (91%) of the City's water customers are also served by the City's wastewater system. The remaining nine (9%) percent utilize private on-site wastewater disposal systems (i.e., septic tank systems).

The City operates a wastewater collection system with seventeen (17) lift stations and collection lines ranging from 6 inches to 24 inches. The City's treatment facility consists of an activated sludge extended aeration system that was placed into service in 1965 (with a major revision in 1982); and has a hydraulic capacity of 1.6 mgd (ADF) with a 2-hour peak of 3.1 mgd. The current ADF into the plant is .78 mgd.

### Public Education

The City will promote water conservation issues by informing the public in a variety of ways including:

- New customers will receive conservation information when applying for service;
- Educational material will be distributed to all customers on a semi-annual basis, timed to correspond with peak summer and winter demand periods
- Information will be available upon request;
- Community educational program/school demonstrations and presentations;
- Presentations available for civic groups; and
- Articles will be published in the newsletter.

The City will also proclaim "National Drinking Water Week" and provide residents with information and demonstrations related to water conservation and environmental issues that effect our water.

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### **Plumbing Codes**

The City will adopt the International Plumbing Code (2006), which adopts water saving plumbing requirements.

### **Retrofit Programs**

The City shall educate the residents, plumbers, and contractors on the benefits of retrofitting existing facilities with water saving devices. This program will be encompassed in the educational and informational programs utilized by the City. The City will contact all plumbing companies and hardware stores in the area to encourage them to stock water conserving fixtures including retrofit devices.

### **Accurate Metering of Raw Water Supplies and Treated Water Deliveries**

Most treatment facilities, pumping stations, and municipal structures operated by the City of Aransas Pass are now being metered. The City plans to install meters at public parks to improve water accountability.

The City will continue to provide a water meter preventive maintenance program, wherein testing, repairs, and replacement are performed in accordance with AWWA standards.

### **Universal Metering**

The City currently meters 100% of the water used. The City has a policy of testing all meters, which appear to have abnormally high or low water usage. The City will set up the following meter-testing schedule:

1. Production meters – test once a year
2. Meters larger than 1" – test once a year
3. Meters 1" and smaller – test every ten years

The City has a computer, which handles all of their billing. The computer easily identifies any high or low rate users, and keeps track of all water use.

The City will continue to provide a water meter preventive maintenance program, wherein testing, repairs, and replacement are performed in accordance with AWWA standards.

### **Water Conserving Landscape**

The City of Aransas Pass will provide information, through the public education program, to homeowners, business owners, landscape architects, and irrigation contractors about the methods and benefits of water conserving landscaping practices and devices. The following methods will be encouraged.

- The use of low water consuming plants and grasses for landscaping new homes and commercial areas.
- Business and nurseries to offer for sale low water consuming plants and grasses along with efficient irrigation systems and to promote their use through demonstrations and advertisements.

### Rate Structures of Water and Wastewater

The City employs a water usage rate structure based on customer type and a uniform service charge. Current water rates for residential and commercial accounts are presented in Tables 1-1; and sewer rates are presented in Table 1-2

**Table 1-1  
City of Aransas Pass  
Water Rate Structure**

Usage (Gal. per Month)	Cost (inside City Limits) (\$ per 1,000 gal.)	Cost (outside City Limits) (\$ per 1,000 gal.)
1-5000	3.55	4.43
5001-10,000	4.43	5.54
Over 10,000	4.79	5.98

**Table 1-2  
City of Aransas Pass  
Sewer Rate Structure**

Usage (Gal. per Month)	Cost (inside City Limits) (\$ per 1,000 gal.)	Cost (outside City Limits) (\$ per 1,000 gal.)
1-5000	1.82	2.01
Over 5,000	2.28	2.51

### Leak Detection and Water Audits

The City of Aransas Pass has aggressively pursued leak detection and repair program and has in inventory all necessary repair materials needed to ensure prompt repairs of all leaks detected or reported.

The leak detection program includes the following:

1. Monthly water use accounting by the billing computer, which identifies high water use after the service meters, indicating leaks;
2. Constant monitoring of elevated tanks which identifies major water main breaks;

- 
3. Visual inspection by meter readers and system employees who keep a constant watch out for abnormal conditions indicating leaks; and
  4. An adequate maintenance staff, which is available to repair any leaks.

A monthly water loss report provides an effective tracking system of metered production, metered consumption, accounted water losses, and unaccountable water loss.

The City maintains an annual unaccountable rate of 24.1%, which is greater than the AWWA recommended rate (10%). The City plans to continue decreasing this rate by implementing the measures above.

### **Recycling and Reuse**

Once the City implements a conventional wastewater system, the City will evaluate the possibility of using its wastewater effluent for recycling and reuse.

### **Implementation and Enforcement**

The Amendment to the existing Water Conservation Plan with the one prepared by NEI in accordance to the Texas Water Code, TCEQ, and TWDB shall authorize the City to implement, enforce, and administer the program.

### **Contracts with Other Political Subdivisions**

The City will, as part of contract for sale of water to any other entity re-selling water, require that entity to adopt applicable provisions of the City's water conservation and drought contingency plan or have a plan in effect previously adopted by TCEQ or TWDB. These provisions will be through contractual agreement prior to the sale of any water to the entity.

### **Coordination with the Regional Water Planning Group**

The service area of the City of Aransas Pass is located within the Regional Water Planning Area (N) – Coastal Bend Region and will provide a copy of this Water Conservation Plan to the South Texas Water Authority Director who is the Co-Chair for the Region.

### **Annual Reporting to Texas Water Development Board**

The City shall be responsible for providing the required annual report to the Texas Water Development Board and TCEQ. The content and format for the annual reporting is included in the form: Water Conservation Program Annual Report, WRD-265 (Attached Appendix-D).

**Appendix A**  
**Water Conservation Utility Profile**  
**TWDB Form WRD-264**





## TEXAS WATER DEVELOPMENT BOARD

### Utility Profile (WRD-264)

The purpose of the Utility Profile is to assist with water conservation plan development and to ensure that important information and data be considered when preparing your water conservation plan and its target and goals. Please complete all questions as completely and objectively as possible. See *Water Conservation Plan Guidance Checklist* (WRD-022) for information on other water conservation provisions. You may contact the Municipal Water Conservation Unit of the TWDB at 512-936-2391 for assistance.

#### APPLICANT DATA

Name of Utility: City of Aransas Pass

Address & Zip: 600 W. Cleveland (P.O. Box 2000) Aransas Pass, TX 78336

Telephone Number: 361-758-5301 Fax: 361-758-8188

Form Completed By: John A. Michael, P.E. Title: Project Engineer

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Phone Number of Person/Department responsible for implementing a water conservation program:

Name: Cande Torres Phone: 361-758-2441

#### UTILITY DATA

##### I. CUSTOMER DATA

##### A. Population and Service Area Data

1. Please attach a copy of your Certificate of Convenience and Necessity (CCN) from the TCEQ, and a service-area map.
2. Service area size (square miles): 13.5
3. Current population of service area: 8,864
4. Current population served by utility: a: water 8,864  
b: wastewater 8,059

5. Population served by water utility for the previous five years:      6. Projected population for service area in the following decades:

Year	Population
<u>2004</u>	<u>7,937</u>
<u>2005</u>	<u>8,270</u>
<u>2006</u>	<u>8,452</u>
<u>2007</u>	<u>8,740</u>
<u>2008</u>	<u>8,864</u>

Year	Population
2010	<u>9,851</u>
2020	<u>11,663</u>
2030	<u>13,337</u>
2040	<u>14,792</u>
2050	<u>16,101</u>

7. List source(s)/method(s) for the calculation of current and projected population:

City Billing Records, U.S. Census Bureau, TWDB Regional Water Plan  
Population Projection-Region N

**B. Active Connections**

1. Current number of active connections by user type. Check whether multi-family service is counted as Residential \_\_\_\_\_ or Commercial \_\_\_\_\_

<u>Treated water users:</u>	<u>Metered</u>	<u>Not-metered</u>	<u>Total</u>
Residential Single-Family	<u>2553</u>	<u>N/A</u>	<u>2553</u>
Residential Multi-Family	<u>1510</u>	<u>N/A</u>	<u>1510</u>
Commercial	<u>457</u>	<u>N/A</u>	<u>457</u>
Industrial	<u>8</u>	<u>N/A</u>	<u>8</u>
Public	<u>0</u>	<u>N/A</u>	<u>0</u>
Other	<u>20</u>	<u>N/A</u>	<u>20</u>

2. List the net number of new connections per year for most recent three years:

Year	<u>2008</u>	<u>2007</u>	<u>2006</u>
Residential Single-Family	<u>129</u>	<u>88</u>	<u>59</u>
Residential Multi-Family	_____	_____	_____
Commercial	_____	_____	_____
Industrial	_____	_____	_____
Public	_____	_____	_____
Other	_____	_____	_____

**C. High Volume Customers**

List annual water use for the five highest volume retail and wholesale customers (please indicate if treated or raw water delivery)

	<u>Customer</u>	<u>Use (1,000gal./yr.)</u>	<u>Treated/Raw Water</u>
(1)	<u>Aker Gulf Marine</u>	<u>7,593</u>	<u>Treated</u>
(2)	<u>Degussa Carbon</u>	<u>38,088</u>	<u>Treated</u>
(3)	<u>Live Oak Materials</u>	<u>6,625</u>	<u>Treated</u>
(4)	<u>Aker Gulf Marine</u>	<u>5,730</u>	<u>Treated</u>
(5)	<u>Raymond Dugat</u>	<u>4,086</u>	<u>Treated</u>

**II. WATER USE DATA FOR SERVICE AREA**

**A. Water Accounting Data**

1. Amount of water use for previous five years (in 1,000 gal.):

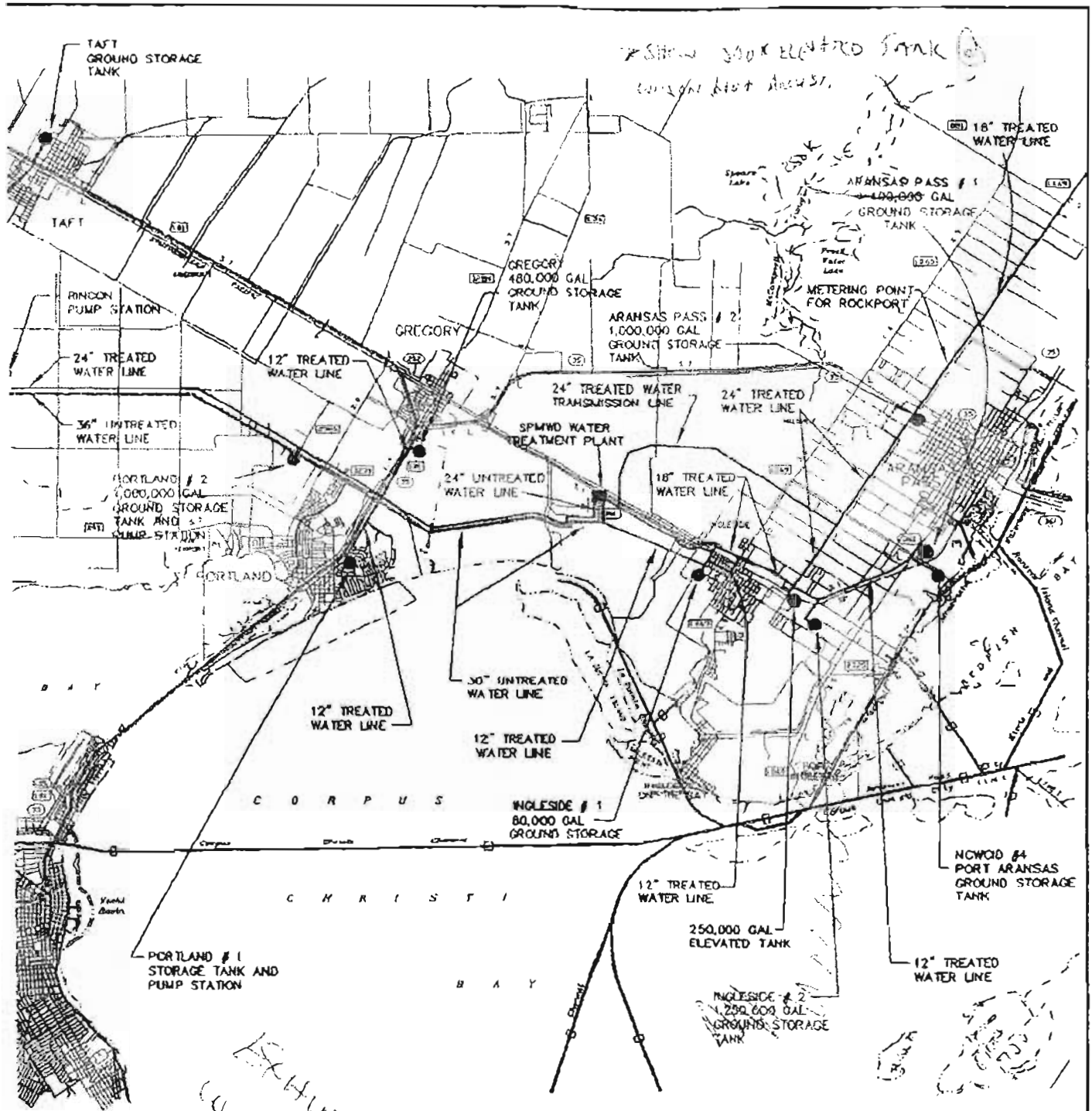
Please indicate: Diverted Water \_\_\_\_\_  
 Treated Water           X          

<b>Year</b>	<b>2007</b>	<b>2006</b>	<b>2005</b>	<b>2004</b>	
January	37604	38755			
February	35803	42752			
March	41213	39867			
April	36996	48201			
May	42298	45687			
June	44365	47789			
July	44273	45001			
August	45076	49073			
September	45106	50839			
October	47688	41130			
November	42251	42434			
December	42573	40307			
<b>TOTAL</b>	<b>505246</b>	<b>531835</b>			

Please indicate how the above figures were determined (e.g., from a master meter located at the point of a diversion from a stream or located at a point where raw water enters the treatment plant, or from water sales).

Water Sales Metered at Plant

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*EXHIBIT OF  
WATER SYSTEM*



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**NAISMITH ENGINEERING, INC.**  
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CORPUS CHRISTI, TEXAS

FIGURE 1-3  
EXISTING SAN PATRICIO MUNICIPAL  
WATER DISTRICT FACILITIES  
TEXAS WATER DEVELOPMENT BOARD  
ECONOMICALLY DISTRESSED AREAS PROGRAM  
SAN PATRICIO COUNTY, TEXAS

DATE: CALO/RM	DATE: CALO/RM	DATE: CALO/RM	DATE: CALO/RM
DATE: CAB/SPS	DATE: CAB/SPS	DATE: CAB/SPS	DATE: CAB/SPS

2. Amount of water (in 1,000 gallons) delivered (sold) as recorded by the following account types (See #1, Appendix A) for the past five years.

Wholesale						
Year	Residential	Commercial	Industrial	Wholesale	Other	Total Sold
	N/A	N/A				

3. List previous five years records for unaccounted-for water use ratio

(See #2, Appendix A)

Year	Amount (gal.)	%
2007	216,800,000	
2006	10,096,878	
2005		
2004		

4. List previous five years records for annual peak-to-average daily use

(See #3, Appendix A)

Year	Average MGD	Peak MGD	Ratio
2007	1.38	8.06	.17
2006	1.45	8.06	.18
2005		8.06	
2004		8.06	

5. Municipal per capita water use for previous five years (See #4, Appendix A):

Year	Population	Total Diverted (or Treated) (1,000 gal.)	Industrial Sales (1,000 gal.)	Municipal Per Capita Use (gpcd)
2007	8,740	505246	N/A	158.38
2006	8452	531835	N/A	172.39
2005	8270			
2004	7937			

6. Seasonal water use for the previous five years (in gallons/person/day) (See #5, Appendix A):

Year	Population	Base Per Capita Use	Summer Per Capita Use	Seasonal Use
2007	8740	147.44	169.99	N/A
2006	8452	160.14	186.49	
2005	8270			
2004				

**B. Projected Water Demands**

Provide estimates for total water demands for the planning horizon of the utility. Indicate sources of data and how projected water demands were determined. Attach additional sheets if necessary.

**III. WATER SUPPLY SYSTEM**

**A. Water Supply Sources**

List all current water supply sources and the amounts available with each:

	<u>Source</u>	<u>Amount Available</u>
Surface Water:	<u>San Patricio Municipal Water District</u>	<u>          </u> MGD
Groundwater:	<u>                  N/A                  </u>	<u>          N/A          </u> MGD
Contracts:	<u>                  N/A                  </u>	<u>          N/A          </u> MGD
Other:	<u>                  N/A                  </u>	<u>          N/A          </u> MGD

**B. Treatment and Distribution System**

1. Design daily capacity of system:   8.06   MGD
2. Storage Capacity: Elevated   0.5   MG, Ground   1.25   MG
3. If surface water, do you recycle filter backwash to the head of the plant?  
Yes            No   No  . If yes, approximately            MGD.
4. Please describe the water system. Include the number of treatment plants, wells, and storage tanks. If possible, include a sketch of the system layout. (*Please see attached WTP Schematic.*)

The system includes:

The City of Aransas Pass Water System includes two water pumping stations; with ground storage facilities; an elevated storage tank; and a distribution system that is composed of 2" through 24" pipe with materials consisting primarily of cast iron, asbestos, cement, and PVC.

- South Central Station: One GST-250,000 gal and two (2) 500 gpm pumps
- Avenue "A" Station: One GST-1,000,000 gal, two (2) 2,000 gpm pumps and one (1) 600 gpm pump.

#### IV. WASTEWATER UTILITY SYSTEM

##### A. Wastewater System Data

1. Design capacity of wastewater treatment plant(s): 1.6 MGD
2. Is treated effluent used for irrigation on-site     , off-site ✓, plant washdown no, or chlorination/dechlorination ✓?  
If yes, approximately 1,000 gallons per month. Could this be substituted for potable water now being used in these areas No?
3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed of. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and, if wastewater is discharged, the receiving stream. Please provide a sketch or map, which locates the plant(s) and discharge points or disposal sites. (*Please see Wastewater System Schematic*).

The Aransas Pass wastewater collection system consists of fifteen (15) lift stations and collection lines ranging from 6-inches to 24-inches in diameter. All raw wastewater flows to the "Ransom Island Lift Station" located approximately 1200 feet west of the plant site. Raw wastewater is then pumped in a 12-inch force main to the plant.

The City's treatment facility consists of an activated sludge extended aeration system, located on the southwest corner of Ransom Drive and Ocean Drive.

The Plant was placed into service in 1965 (with a major revision in 1982) and consists of a plant lift station, a headworks complex, dual primary extended aeration basins, dual secondary clarifiers, a dual wet well, a dual chlorine contact basin, a wastewater lift station, a sludge digester/thickener, sludge beds and associated appurtenances. Effluent is discharged directly to Redfish Bay. The plant has a hydraulic capacity of 1.6 MGD (Avg. Daily Flow) with a 2-hour peak capacity of 3.1 MGD.

The plant discharges under the following permits:

EPA NPDES Wastewater Permit No. TX0025682.  
TNRCC Permit No. 10521

**B. Wastewater Data for Service Area**

1. Percent of water service area served by wastewater system: 90 %
2. Monthly volume treated for previous three years (in 1,000 gallons):

Year	2005	2006	2007
January	31.45	18.24	43.42
February	14.48	20.27	35.42
March	37.15	18.27	33.94
April	26.13	23.74	29.04
May	Ø	9.09	29.19
June	27.14	23.68	Ø
July	29.36	44.10	52.79
August	12.83	32.55	35.86
September	25.33	32.93	Ø
October	12.60	38.05	37.41
November	28.30	30.31	28.47
December	31.09	10.11	27.03
<b>TOTAL</b>	<b>275.91</b>	<b>301.38</b>	<b>352.60</b>



**Appendix B**  
**Water Conservation Plan Adoption Ordinance**

**Appendix C**  
**Schedule and Tracking Form**

### **Schedule for Implementing the Plan to Achieve Targets and Goals**

The City of Aransas Pass will adhere to the following schedule, to achieve the targets and goals for water conservation:

- Calibrations of meters for all treated water deliveries are conducted semi-annually
- The City of Aransas Pass meter replacement program is as follows:
  - Meters will continue to be monitored for accuracy annually and replaced on a fifteen-year cycle
- Water audits are conducted annually
  - Real water losses are identified and corrected
  - Real water losses are minimized by replacement of deteriorating water mains and appurtenances, as is conducted by City of Aransas Pass staff on an on-going basis
- The City of Aransas Pass will mail out material developed by the staff, materials obtained from the Texas Water Development Board, Texas Commission on Environmental Quality or other sources semi-annually (once in the spring and once in the summer) to all customers
- The leak detection program described in the plan is currently in use by City of Aransas Pass, which reduces real water losses
  - Inspections and soundings of all water main fittings and connections are conducted annually
  - Intermittent night-flow measurements are conducted annually
  - Pressure zones are operated based on the topography
  - Surges in pressure are limited by control valves
  - Nighttime pressure is reduced by control valves when feasible
- The City of Aransas Pass intends to adopt the 2006 International Plumbing Code, and all new construction or renovations in the city use water conserving fixtures

### **Tracking Targets and Goals**

The staff shall track targets and goals by utilizing the following procedures:

- Logs shall be maintained for meter calibration, meter testing, and meter replacement programs
- Annual water audits shall be documented and kept in the Utility Department files
- Staff shall keep a record of the number of mail-outs distributed semi-annually
- Rates are tracked by means of ordinances adopted
- Logs shall be maintained for the utility's Leak Detection Program, including but not limited to the following:
  - Annual inspections and soundings of all water main fittings and connections
  - Annual intermittent night-flow measurements

**Appendix D**  
**Water Conservation Program Annual Report (WRD-265)**



# CITY OF ARANSAS PASS

Public Works Service Center

Date June 30, 2010

## FAX COVER SHEET

ATTN: Ethan Hamm

COMPANY: TEXAS WATER Development Board

FAX #: 1-(512)-475-2053 TOTAL PAGES 6 Pages

### INSTRUCTIONS:

FOR YOUR USE

FOR YOUR APPROVAL

AS REQUESTED

REVIEW & RESPOND

CALL UPON RECEIVED

OTHER \_\_\_\_\_

### REMARKS:

I found this in our municipal code online  
Do NOT know if it will help, please let me know

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

SENDER: Cande Jover

**ARTICLE V. WATER CONSERVATION PLAN\***

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**\*Editor's note:** Ord. No. 3169, §§ 2–5, enacted July 2, 1984, adopted provisions pertaining to a water conservation plan that was nonamendatory to this code. Said provisions were included as Art. V, §§ 29-111–29-114, at the editor's discretion.

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**Sec. 29-111. General scope, policy and authorization.**

(a) *Scope.* There is hereby established a City of Aransas Pass water conservation plan.

(b) *Declaration of policy.* It is hereby declared that the general welfare requires that the water resources available to the city be put to the maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use, or unreasonable method of use of water be prevented, and the conservation of such water is to be extended with a view to the reasonable and beneficial use thereof in the interests of the people of the area served by the city's water resources and for the public welfare.

(c) *Authorization.* The city manager, or his designee, upon the recommendation of the water and sewer department superintendent is hereby authorized and directed to implement the applicable provisions of this article upon their determination that such implementation is necessary to protect the public welfare and safety.

(Ord. No. 3167, § 2, 7-2-84)

**Sec. 29-112. Prohibited uses of water during water shortage periods; exceptions; presumption of violation.**

(a) *Adherence to guidelines in general.*

(1) No customer of the City of Aransas Pass water system shall knowingly make, cause, use or permit the use of water from the city system for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this section, or in an amount in excess of that use permitted by the conservation stage in effect pursuant to action taken by the city manager, or his designee, in accordance with the provision of this section. The provisions of this section shall apply to all uses of water from the city water supply system wherever situated.

(2) The water and sewer department superintendent shall promulgate guidelines which shall set forth the criteria for determining when a particular conservation stage is to be implemented and terminated. Such guidelines shall be updated when, in the opinion of the superintendent, the conditions of the water system have changed so as to necessitate such update, said guidelines to be published and filed in the office of the city secretary.

(3) The use or withdrawal of water from the water supply system of the city for the following purposes or uses is hereby regulated during any period of water shortage commencing with the promulgation of water conservation guidelines by the superintendent of the water and sewer department and implementation of same by the city manager and continuing until such water conservation measures are no longer

## ARTICLE V. WATER CONSERVATION PLAN\*

deemed necessary by the city manager in accordance with such guidelines.

**(b) Condition I; water shortage possibility.** Upon implementation by the city manager, customers of the water system of the City of Aransas Pass are requested to voluntarily conserve and limit their use and all municipal operations are placed on mandatory conservation. Water used for irrigation of vegetation may be used on such day or days of each week, on premises the street number of which is an even number, and on such day or days of each week, on premises the street number of which is an odd number, as may be designated by the city manager. In the event the premises have no number, application shall be made to the city building official for the assignment of a number to such premises and such premises shall thereafter bear the number so assigned. Such day or days may be changed by further directive of the city manager. In the event any premises do not have a number at the time of the occurrence of any violation under this article, the premises shall be in the category of premises with even numbers. No person or customer shall cause or permit water to run or waste in any gutter or otherwise.

**(c) Condition II; water shortage watch.** Upon implementation by the city manager, and publication of notice, the following restrictions shall apply to all persons and the withdrawal of water from the system for the following purposes or uses is hereby prohibited. All elements of condition I shall remain in effect in condition II.

(1) The sprinkling or watering of lawns is prohibited. Provided, however, the city manager may authorize the watering of trees, shrubbery, annual, biennial or perennial plants, vines, gardens, vegetables and flowers through the means of a hand-held hose equipped with a positive shut-off nozzle, drip irrigation or a hand-held bucket or watering can. When authorized, such watering shall be done only between the hours of 6:00 a.m. and 8:00 p.m. on Mondays, Wednesdays and Fridays. Commercial nurseries shall be excepted from the prohibition of this subparagraph and shall be permitted to water nursery stock by means of a hand-held hose equipped with a positive shut-off nozzle, drip irrigation or hand-held bucket or watering can between the hours of 8:30 a.m. and 6:00 p.m. Commercial nurseries shall be permitted to use sprinkler irrigation systems to maintain nursery stock provided irrigation water is recaptured and recirculated. Residential homeowners and occupants may install and water on day of purchase those classes of plantings described herein, excluding lawns.

(2) The washing of automobiles, trucks, trailers, boats, airplanes and any other type of mobile equipment except that individuals may wash their private cars or boats if they use a bucket, pail, or normal-sized receptacles; and further provide, that filling stations shall wash their customers' cars with a bucket, pan, pail or other receptacle not larger than five (5) gallons capacity; however, an individual or filling station, after such washing, shall be permitted to rinse the car or boat off with a hose, using only a reasonable amount of water in so doing. Commercial or automatic car wash establishments shall use minimum practical water settings.

(3) The washing of building exteriors and interiors, trailers, trailer houses and railroad cars, except that in the interest of public health the director of public health may permit limited use of the water as the case may be.

(4) The permitting or maintaining of defective plumbing in a home, business establishment or any location where water is used on the premises. The permitting of the wasting of any water by reason of defective plumbing as hereinabove mentioned shall include the existence of out-of-repair water closets, underground leaks, defective faucets and taps. The permitting of water to flow constantly through a tap, hydrant, valve or otherwise by any user of water connected to the city system, shall be considered as a wasting of water and prohibited by this article.

(5) The use of fire hydrants for any purpose other than firefighting.

(6) The use of water in ornamental fountains or in artificial waterfalls where the water is

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not reused or recirculated in any manner.

(7) The use of water to wash down sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced areas, or building or structure.

(8) The use of water for dust control.

(9) The use of potable water by a golf course to irrigate any portion of its grounds except those areas designated as tees and greens and only between the hours of 6:00 a.m. and 10:00 a.m. on the designated watering days.

(10) Any use of water for the purposes or in a manner prohibited in this section shall be deemed to be a waste of water and any person violating any of the provisions of this article and any person in whose name a water meter connection is registered in the department of public utilities, which water connection serves premises upon which a violation occurs, and proof that the particular premises have a water meter connection registered in the name of the defendant named in the complaint, shall constitute in evidence a prima facie presumption that the person in whom such water connection was registered was the person who permitted or caused the act of waste charged to occur on the premises.

(11) Concurrently with the implementation of condition II, the city council shall appoint an allocation and review committee, as hereinafter provided, for the purpose of reviewing water conservation policies and establishing exemptions.

(d) *Condition III; water shortage warning.* Upon implementation by the city manager and publication of notice, the following restrictions shall apply to all persons. All elements of condition II shall remain in effect in condition III.

(1) Prohibit new connections for service to the city water system where other supply service is available.

(2) A mandatory limit of normal water use by industrial and commercial customers in amounts as determined by the city manager and the allocation and review committee without rate penalty.

(3) A mandatory limit to residential customer use to five thousand (5,000) gallons per month without rate penalty.

(4) A rate schedule will be adopted to establish rates and penalties for uses in excess of permitted amounts.

(5) The following water uses are hereby determined to be nonessential and are prohibited.

a. The use of water to serve a customer in a restaurant unless requested by the customer.

b. The use of water for the expansion of commercial nursery facilities.

c. The use of water for scenic and recreational ponds and lakes, except for the minimum amount required to support fish life or for the filling of swimming pools or jacuzzi pools except where the pool is required by a medical doctor's prescription.

d. The use of water to put new agricultural land into production.

e. The use of water for new planting or landscaping.

(e) *Condition IV; water shortage emergency.* Upon implementation by the city manager and publication of notice, the following restrictions shall apply to all persons. All elements of condition III shall remain in effect in condition IV.



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- (1) No applications for new, additional, further-expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved, or installed except as approved by the allocation and review committee.
- (2) All allocations of water use to industrial and commercial customers in amounts as established by the allocation and review committee.
- (3) The maximum monthly use for a residential customer be established with revised rate schedules and penalties by the city council on recommendation by the allocation and review committee.
- (4) The city council and city manager take those actions deemed necessary to meet the conditions resulting from the emergency.

(Ord. No. 3167, § 3, 7-2-84)

**Sec. 29-113. Allocation and review committee, establishment, composition, powers and duties.**

The allocation and review committee shall be composed of five (5) members, the sewer and water department superintendent, the director of public works, a representative of industry, a representative of business and commerce and a citizen of the city. The industry, business and citizen members shall be appointed by the mayor and council and shall serve at the pleasure of the city council. The committee shall consider requests of water users for special consideration to be given to their respective particular circumstances and the committee shall hear and decide such requests and is hereby authorized to, in special cases, grant such variance from the terms of this article as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this article will result in unnecessary hardship, and so that the spirit of this article shall be observed and substantial justice done. Should a permit for special exception be granted by such committee, it shall be in effect from the time of granting; provided, that the permit is prominently posted on the premises within two (2) feet of the street number located on the premises. Should protest be received after the granting of any such special permit, the committee shall consider the revocation of such permit and shall reconsider the granting of such permit at a public hearing, notice of which shall have been given at least one (1) day prior to the holding of such hearing. After the conclusion of such hearing, the committee shall take such action by way of revocation of such permit, or refusal to revoke the same, or modification of such permit as the committee may deem proper under the circumstances.

(Ord. No. 3167, § 4, 7-2-84)

**Sec. 29-114. Violations, penalty and enforcement.**

(a) Any person, corporation or association violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction shall be punished by a fine not to exceed two hundred dollars (\$200.00). The commission of a violation of each provision, and each separate violation thereof, shall be deemed a separate offense, in and upon conviction thereof shall be fined as hereinabove provided. If any person, firm, corporation, association, customer or user of water of the water system of the City of Aransas Pass is found guilty of a second violation of this article, the water and sewer department superintendent shall be authorized to discontinue water service to the premises where such violation occurs.

(b) Any police officer, or other city employee designated by the city manager, may issue a citation to a person he reasonably believes to be in violation of this article. 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 him to appear in the Aransas Pass Municipal Court within

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five (5) days of service of the citation. The alleged violator shall be requested to sign the citation, and shall be served a copy of the citation. Service of the citation shall be complete upon the attempt to give it to the alleged violator. The alleged violator shall appear in municipal court to make his plea within five (5) days of service of the citation, and failure to so appear shall be a violation of this article. A police officer may arrest for any offense under this article where permitted by state arrest law. Said cases shall be expedited and given preferential setting in municipal court before all other cases.

(Ord. No. 3167, § 5, 7-2-84)