

ORDINANCE NO. 2024-4961

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EDINBURG, TEXAS AT TITLE V, PUBLIC WORKS, CHAPTER 53, WATER REGULATIONS, BY AMENDING THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE; PROVIDING FOR ITS PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR ITS CODIFICATION IN THE CODE OF ORDINANCES OF THE CITY; PROVIDING FOR WAIVER OF THE THREE SEPARATE READINGS; AND, ORDAINING OTHER MATTERS PERTAINING TO THIS SUBJECT MATTER THEREOF.

WHEREAS, the city of Edinburg, Texas recognizes that the amount of water available to the City and its water utility customers is limited and subject to depletion during periods of extended drought; and,

WHEREAS, the City recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and,

WHEREAS Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality (TCEQ) requires all public water supply systems in Texas to prepare a drought contingency plan; and,

WHEREAS as authorized under law, and in the best interest of the citizens of Edinburg, Texas, the City Council deems it expedient and necessary to establish and update, from time to time, certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies; and,

NOW, THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF EDINBURG, TEXAS, THAT:

SECTION I. Ordinance No. _____ is amended as set forth herein.

SECTION II. The City of Edinburg, Texas Water Conservation and Drought Contingency Plan attached hereto as Exhibit "A" and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

SECTION III. All ordinances that are in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other ordinances or portions of ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION IV. Should any paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part of provision thereof: other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. The requirements of three separate readings of this Ordinance is hereby dispensed with by a vote of not less than a majority of all the members of the City Council.

SECTION VI. REPEALER CLAUSE. This Ordinance shall be cumulative of all other ordinances dealing with the same subject, and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed, and the provisions of this Ordinance shall supersede any provisions in conflict herewith all provisions of any other ordinance or portions of ordinances not in conflict herewith shall remain in full force and effect.

SECTION VII. SAVINGS CLAUSE. If any section, part, or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Council in passing this Ordinance that its parts shall be severable, and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION VIII. CODIFICATION CLAUSE. The provisions of Section, 1, 2, and 3 of this Ordinance are to be published in the location indicated in the Code of Ordinances of the City of Edinburg, Texas, as soon as practicable.

SECTION IX. PUBLICATION AND EFECTIVE DATE. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the City Council of the City of Edinburg, Texas, at which a quorum was present, which was held in accordance with VTCA, Government Code, Section 551.041 on the ___ day of _____, 2024.

CITY OF EDINBURG

By: _____
Ramiro Garza Jr., Mayor

ATTEST:

By: _____ Clarice Balderas, City Secretary

APPROVED AS TO FORM:
OMAR OCHOA LAW FIRM, P.C.

By: _____ Omar Ochoa, City Attorney

**WATER CONSERVATION
AND
DROUGHT CONTINGENCY PLAN**

**Prepared By:
City of Edinburg Utilities Department
May 01, 2024**

CITY OF EDINBURG

WATER CONSERVATION and DROUGHT CONTINGENCY PLAN

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CITY OF EDINBURG

WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN May 01, 2024

I. INTRODUCTION

The City of Edinburg provides the public with water and sewer services within City Limits and its Extraterritorial Jurisdiction (ETJ). The water and wastewater systems are owned and operated by the City of Edinburg in Hidalgo County, Texas, and are governed by a board of elected City Council Officials.

The amount of water that the City of Edinburg water system can store, treat, divert, and distribute to its customers is limited. Edinburg wants to avoid waste or unreasonable use of water, which could lead to a possible drought and emergency conservation strategies. Therefore, it is imperative that the available water resources be put to the maximum beneficial use to which they are capable, while simultaneously implementing strong conservation measures to eliminate waste. While short-term water shortages and water supply emergencies are often unpreventable, response measures can be determined and implemented in advance, to avoid, minimize, or mitigate the risks and impacts of drought-related water shortages and other emergencies.

The purpose of this plan is to establish a Water Conservation and Drought Contingency Plan for the City of Edinburg in accordance with Texas Administrative Code Title 30, Chapter 288. The basic goal of the plan is to ensure an uninterrupted supply of available water in an amount sufficient to satisfy essential human needs. First, the Water Conservation Plan develops a conservation strategy for reducing the volume of water withdrawn from a water supply source, reducing the loss or waste of water, increasing the recycling and reuse of water, and the prevention of pollution of water. Secondly, the Drought Contingency Plan is a strategy for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies.

II. UTILITY PROFILE

A. Demographics

The City of Edinburg provides water and wastewater services within Edinburg's city limits and extraterritorial jurisdiction. The water service area is approximately 278 square miles and the sewer service area is approximately 286 square miles. The estimated population served by the water system is 100,762.

B. Water Conservation Coordinator

The City of Edinburg Water Conservation Coordinator is the Director of Utilities or his/her designee. The conservation coordinator coordinates water utility staff, data from various

departments, and other resources as necessary for the purpose of developing, implementing, and evaluating the effectiveness of the utility's water conservation plan.

C. Water Supply

Purchase of Raw Water

The Rio Grande River is the sole source of water for the citizens of Edinburg. The City of Edinburg currently owns/under contract up to 14,851.9645 acre-ft of water rights per year from Hidalgo County Irrigation District #1(HCID #1) and Hidalgo County Irrigation District #2 (HCID#2). In addition, the City went into an agreement with the City of McAllen to purchase a minimum of 55.24 acre-ft of treated potable water per year.

The City of Edinburg receives raw water from both HCID #1 and #2 via irrigation canals and gravity pipes ranging from 30" – 54". After the water is received from the two irrigation districts, the raw water is stored in a city owned raw water reservoir, which has a maximum storage capacity of 210 million gallons (MG). The raw water is either diverted to the West Edinburg and the Downtown Water Treatment Plants through a series of pipes.

Interconnections

The City of Edinburg distribution system is currently interconnected with the following entities:

- City of McAllen – purchase treated water
- North Alamo Water Supply Corporation - purchase and selling of treated water.

Capacity of Water Treatment Plant

The City of Edinburg currently owns and operates the following Water Treatment Plants:

- West Edinburg Water Treatment Plant (Conventional Treatment Process) – Rated Capacity of 16 Million Gallons per Day (MGD)
- Downtown Water Treatment Plant (Conventional Treatment Process) - Rated Capacity of 10 Million Gallons per Day (MGD)

Both water treatment plants utilize chlorine dioxide and chloramines as disinfectants to provide safe potable drinking water to the City of Edinburg customers.

Pumps and Storage Capacities

The water treatment plants have the following pumping and storage capacities:

- West Edinburg Water Treatment Plant – Rated at 16 MGD's
 - Raw – 5 pumps rated at 7 million gallons per day per pump
 - High Service – 6 pumps rated at 7 million gallons per day per pump

- Storage – 2 Ground Storage Tanks with a combined storage capacity of 4 million gallons
- Downtown Water Treatment Plant – Rated at 10 MGD’s
 - Raw – 4 pumps with pumping capacity that ranges from 2.5 - 8.4 million of gallons per day per pump
 - High Service – 5 pumps with pumping capacity that ranges from 1.2 - 8.5 million of gallons per day per pump
 - Storage – 3 underground clear wells with a combined storage capacity of 3.5 million gallons
- Booster Stations
 - Trenton Booster Station – 2 pumps with pumping capacity of 700 gallons per minute per pump and pumps directly into the distribution system.
 - West Booster Station – 4 pumps with a pumping capacity of 2.2 – 4.3 million gallons per day per pump and has a combined storage capacity of 1.7 million gallons
 - North Booster Station – 4 pumps with a pumping capacity of 1.8 million gallon per pump and has a storage capacity of 400,000 gallons
- Elevated Storage
 - North Water Tower – 500,000 gallons
 - South Water Tower – 500,000 gallons
 - West Tower – 750,000 gallons
 - Southwest Tower – 1,000,000 gallons
 - Cibolo Tower – 400,000 gallons

Total combined storage of all facilities (GST’s, clear wells & elevated storage) is 12.75 million gallons.

The City of Edinburg has a total of 486 miles of water lines and 3,331 fire hydrants in the distribution system.

D. Water Use Characteristics

Water Pumpage

Current daily average pumpage for Treated water in 2023 was 13.148 MG, and metered water sales of 12.664 MG.

Water Uses and Per Capita Water Use

The City of Edinburg supplies potable water for residential, commercial, industrial, and public uses. The estimated Total Gallons per Capita per Day (GPCD). The five (5) year average for Retail use for Edinburg is 138 GPCD (Source: TWDB Water Use Survey).

Municipal per capita water use is total water pumped into the distribution system for residential, commercial, and public uses, divided by the population served. Industrial water use is

not included in this calculation. Edinburg’s five (5) year average for Municipal per capita use is 123 GPCD (Source: TWDB Water Use Survey).

Edinburg’s industrial users account for approximately less than 3% of the total active meter accounts. The two (2) largest water volume users for 2023 were the Azteca Milling Company and the Calpine Hidalgo Energy.

The table below displays the 5-year and 10-year goal for water savings

	Historic 5-yr Average	Baseline	5-yr Goal for year <u>2028</u>	10-yr Goal for year <u>2033</u>
Total (GPCD)	138	138	138	138
Residential (GPCD)	78	78	78	78
Water Loss (GPCD)	13	13	15	15
Water Loss (Percentage)	9%	9%	11%	11%

Reference: TWDB Form No. 1964

Edinburg had approximately 31,488 active water meter accounts at the end of 2023 and is anticipated to increase on an annual basis.

E. Unaccounted-For Water

Edinburg’s unaccounted-for water is due to waterline breaks, leaks, meter underregistration, main line flushing, and unmetered fire hydrants. The amount of unaccounted-for water is determined by the difference between production and metered water sales. The average amount of unaccounted for water loss for the past five (5) years was 9.4%.

F. Wastewater Services

The City of Edinburg operates a wastewater treatment plant located at 1202 N. “M” Road, Edinburg, Texas. The plant uses extended aeration under activated sludge process. The plant is authorized to treat up to 12.3 MGD. Plant expansion to upgrade to 12.3 MGD was completed in May 2013.

The City is authorized to reuse the treated wastewater effluent for Los Lagos Golf Club, Edinburg Municipal Park, and the Calpine Electric Power Company.

The annual 5-year average of treated wastewater volume is 3.49 BG.

The Edinburg Wastewater Treatment Plant currently has a 12.3 MGD designed capacity. The plant is currently operating under regular monitoring operation: CBOD 10.0 mg/L, TSS 15.0 mg/L and NH3 2.0 mg/L.

The wastewater collection system consists of 418 miles of lines, with line sizes ranging from 6 inches to 36 inches. There are currently 52 lift stations and approximately over 26,232 active sewer accounts.

The following is a description of the Edinburg Public Utilities System

**G. WATER SUPPLY AND USE DATA
2023 Data**

Estimated Population: 100,762

Water Source:

Primary Source	Rio Grande River
Raw Water Rights/ Available Allotments	14,851.9645 acre feet
Raw Water Reservoir Capacity	210 Million Gallons (MG)

Water Production:

Average Annual Pumpage (3-Year Average)	4.573 BG
Maximum Daily Treated Capacity (2023)	16.337 MGD
Average Daily Pumpage (3-Year Average)	12.526 MGD
Unaccounted-For Water	7.6 %
(3-Year Average, from Reservoir to End-Users)	387 MG/Year

Treated Water Capacity

Total Underground Storage	3.500 MG
Total Ground Storage Tank	6.100 MG
Total Elevated Storage	3.150 MG

Water Uses by Sector: (3-Year Average)

Residential	2,539 MG/Year
Commercial	1,356 MG/Year
Industrial	127 MG/Year

Wastewater Production:

Annual Amount Treated (3-Year Average)	3,528 MG/Year
Maximum Treated Capacity	10.6 MGD
Average Daily Treated	9.4 MGD

III. WATER CONSERVATION PLAN

A. Water Conservation Goals

Based on the data found in the utility profile and on careful evaluation of Edinburg’s water consumption and practices, Edinburg has set the following goals to be achieved through the adoption of this Water Conservation Plan:

1. Water Loss Percentage to be less than 11%.
2. To implement long term cost-effective recovery measures for major causes of unaccounted-for water loss due to metering.
3. To increase both public and employee awareness regarding water conservation and water related issues. This will especially be encouraged during the summer months when water consumption increases significantly.
4. To promote the re-use of treated wastewater effluent for agriculture, industry, and public use.

IV. WATER CONSERVATION STRATEGIES

A. Public Education

The City of Edinburg will provide the Water Conservation and Drought Contingency Plans to new customers at the time they apply for water services. Water Conservation brochures will be available at the Utility Billing Office on a continuing basis. Water Conservation posters will also be displayed at Billing Office and other City facility buildings. Public announcements will be published in the local newspaper, City newsletter, and broadcast on local radio and television stations.

B. Recycling and Reuse

The City of Edinburg is also exploring the possible use of the treated wastewater effluent for agriculture, industry, and private use.

C. Metering and Repair

Metering Devices

New meters, 2 inches and smaller in size, are bought according to the latest revision of “AWWA C-700 Standard for Cold-Water Meters” in order to specify all materials, design, and testing of these meters. Also, new meters, 4 inches and larger, are bought according to the latest revision of “AWWA C 703 Standard” in order to specify all materials, design, and testing of these meters.

Older meters that may be over or under registering will be replaced as time permits in order to accurately account for water sales and lower unaccounted-for water losses.

Edinburg uses computers to maintain billing accounts, to keep accurate records of water consumption, and to identify high and low water user accounts. Edinburg will test all meters that appear to show unusually high or low water usage based on fluctuating meter reading data. Meter readers test meters based on an as needed basis, or when customers complain or a problem arises. Meter testing is done at the meter shop therefore, the water meter is removed. If the meter is overregistering the customer’s account will be credited, or if the meter is under-registering, the meter is then replaced with a new one.

The City of Edinburg has currently replaced less than 50% of the existing water meters with smart meters and is striving to replace the remaining meters in an effort to conserve water.

Repair

The Edinburg Utility Billing and Meter Services Departments are responsible for maintaining over 31,488 water service accounts. Meter readers use hand-held computers to record meter readings, which are then downloaded to the mainframe computer at the billing office. When meters are not registering, they are removed and taken into the meter shop to be assessed. Meter repairs are minimal usually it is more economical to replace the meter with a new one than to repair it. Priority is always given to water leaks with all other tasks including, service calls, maintenance calls, and other water distribution projects.

Water production meters are calibrated yearly and maintained on a monthly basis. These meters are read on a daily basis. The data is used to determine peak flow days, maximum flow days, minimum flow days, averages, monthly, and yearly totals. Repairs to these meters are usually sent to the manufacturers.

D. Leak Detection and Repair

The City of Edinburg will order or borrow water leak detector equipment from the Texas Water Development Board on an as needed basis. Currently, customers and City personnel call-in water breaks to the System’s Department. Leaks / Breaks in excess of 10 gallons per minute are usually handled within 30 minutes. The City also conducts regularly visual inspections along the routes of water mains with extra attention to mains not located within residential areas where issues with mains are most likely not be reported on a timely basis. The City also conducts on periodic basis,

inspections of residential home with no paid service connection for any illegal connection to City services. Additionally, the City monitors its water production versus its meter water sales.

E. Plumbing Codes and Retrofit Program

The City of Edinburg follows the most recent Standard Plumbing Code that has been adopted by the City. Additionally, the 72nd Texas Legislature passed legislation which requires plumbing fixtures sold in Texas after January 1, 1992, to meet strict standards that incorporate efficient water use and conservation in new structures. This law subsequently affects plumbing fixtures sold and will help eliminate inefficient plumbing fixtures.

Edinburg does encourage businesses and homeowner's to replace older water fixtures like low-flow showerheads, faucet aerators, and toilet dams purchased before January 1, 1992, with the newer efficient replacements. Edinburg will also advocate the use of low demand water appliances instead of older, high use ones in homes and businesses.

F. Water Conservation Landscaping

Edinburg does not plan to require water conservation landscaping however, it will encourage this type of landscaping.

Local landscaping architects and nurseries will be asked and encouraged to utilize efficient irrigation systems and native low water using plants and grasses. Xeriscape gardening and landscaping techniques will also be asked to be promoted.

Licensed irrigation contractors will be asked to utilize drip irrigation systems, where possible, and to use water conserving irrigation systems like sprinklers that produce large drips instead of a fine mist and a sprinkler layout which accommodates prevailing wind patterns.

G. Water Rate Structure

Please refer to Attachment A of this document, which shows the adopted water and sewer rates.

The City of Edinburg will include a requirement in every wholesale water supply contract entered into or renewed after official adoption of the Plan, including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using applicable elements in 30 TAC Chapter 288. If the wholesale customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with 30 TAC Chapter 288.

V. DROUGHT CONTINGENCY PLAN

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Edinburg hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (Drought Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section IX of this Plan.

A. Public Involvement

Opportunity for the public to provide input into the preparation of the Drought Plan was provided by the City of Edinburg by scheduling and providing public notice of a public meeting to accept input and adopt the Drought Plan.

B. Public Education

The City of Edinburg will periodically provide the public with information about the Drought Plan, including information about conditions under which each stage of the Drought Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of press releases, periodic publications in the local newspaper, and utility bill inserts or mail-outs.

C. Coordination with Regional Water Planning Groups

The water service area of the City of Edinburg is located within Rio Grande Regional Planning Group Region M and the City of Edinburg has provided a copy of this Water Conservation and Drought Contingency Plan to the Lower Rio Grande Valley Development Council and Region M.

D. Implementation and Enforcement

The City Manager, or his/her designee, is hereby authorized and directed to implement the applicable provisions of this Drought Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager, or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Drought Plan. In case of an emergency situation, such as equipment failures, major water line ruptures, etc., the City Manager, or his/her designee, is authorized to take immediate actions deemed necessary to minimize or mitigate the risks and impacts of the water supply emergency.

VI. TRIGGERING CRITERIA FOR DROUGHT RESPONSE STAGES

The City Manager, or his/her designee, shall monitor the combined water supply levels in the Amistad and Falcon International Reservoir and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Drought Plan. Public notification of initiation or termination of each stage of the Drought Plan will be made public by means of press releases, publication in the local newspaper, and broadcasting on local radio and/or television stations. Stage 1 water Restrictions shall be in effect at all times unless if the following triggers occur:

Stage 1 Water Restrictions shall be in effect at all times unless:		
	TRIGGERS	ACTION
Demand Triggers	Water demand reaches or exceeds 85% of delivery capacity for (3) consecutive days.	May enact Stage 2 water restriction.
	Water demand reaches or exceeds 90% of delivery capacity for (3) consecutive days.	May enact Stage 3 water Restrictions
	Water demand reaches or exceeds 95% of delivery capacity for three (3) consecutive days.	May enact Stage 4 water restrictions
	Water demand reaches or exceeds 100% of delivery capacity at any time.	May enact Stage 5 water restrictions
Supply	Combined Regional Reservoir levels of Amistad/Falcon reach 23% of capacity	Shall enact Stage 2 water restrictions.
	Combined Regional Reservoir levels of Amistad/Falcon reach 18% of capacity.	Shall enact Stage 3 water restrictions.
	Combined Regional Reservoir levels of Amistad/Falcon reach 13% of capacity	Shall enact Stage 4 water restrictions
	Combined Regional Reservoir levels of Amistad/Falcon reach 10% of capacity	Shall enact Stage 5 water restrictions.
Emergency Triggers	As determined by City Manager, or his/her designee, including but not limited to system outage, equipment failure, or supply source contamination	Reduce water use to levels deemed necessary

VII. DROUGHT RESPONSE STAGES

Stage 1: Voluntary Conservation. During Stage 1, customers of the city utility are requested to voluntarily limit the amount of water used to that amount absolutely necessary for health, business,

and irrigation. Notice of such request shall be given by the City Manager through appropriate television, radio, and newspaper media at his or her discretion.

Stage 2: Mandatory Compliance - Water Alert. During Stage 2, the following restrictions shall apply to all persons:

- a. Designated Irrigation Days - Customers whose addresses end in odd numbers may water only on Wednesdays and Saturdays, and customers with even-numbered addresses may water only on Thursdays and Sundays.
- b. Irrigation utilizing individual sprinklers or sprinkler systems of lawns, gardens, landscaped areas, trees, shrubs, and other plants is prohibited, except as follows: Customers may water on the designated irrigation day only then between the hours of 12:00 a.m. (midnight) to 10:00 a.m. and 6:00 p.m. to 11:59 p.m. No irrigating may be done between the hours of 10:00 a.m. to 5:59 p.m. The irrigation of lawns, gardens, landscaped areas, trees, shrubs, or other plants is permitted at any time on designated irrigation days, if:
 1. A hand-held hose is used;
 2. A handheld, faucet-filled bucket of five (5) gallons or less is used; or
 3. A drip irrigation system is used.

Exception: Commercial nurseries, commercial sod farmers and similarly situated establishments are exempt from Stage 2 irrigation restrictions, but will be requested to curtail all nonessential water use and must not be wasteful with water (see examples in Stage 2, Section i).

- c. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment is prohibited except on designated irrigation date days between the hours of 6:00 p.m. to 11:59 p.m. Such washing, when allowed, shall be done with a hand-held bucket, or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.

Exception: Washing may be done at any time on the immediate premises of a commercial carwash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleaning, such as garbage trucks and vehicles used to transport food and perishables.

- d. The washing or sprinkling of foundations is prohibited except on designated irrigation days between the hours of 6:00 p.m. to 11:59 p.m .
- e. The refilling or adding of water to residential swimming and wading pools is prohibited except on designated irrigation days between the hours of 8:00 p.m. to 11:59 p.m .

- f. The operation of any ornamental fountain or other structure making similar use of water is prohibited except for those fountains and structures with a recycling system. The use of treated water to fill, refill, or maintain the level of any fountain is prohibited.
- g. The use of potable water for irrigation of golf greens and tees, public parks and grounds is prohibited except on designated irrigation days between the hours of 8:00 p.m. to 11:59 p.m. The irrigation of golf fairways is absolutely prohibited; provided, however, any golf course utilizing treated wastewater effluent, reused water, or raw water is accepted from the provisions.
- h. Use of water from fire hydrants shall be limited to fire-fighting, related activities, and/or other activities necessary to maintain health, safety, and welfare of the citizens of the city.
- i. The following uses of water, but not limited to, are defined as “waste of water” and are absolutely prohibited:
 - 1. Allowing water to run off into a gutter, ditch, or drain;
 - 2. Failure to repair a controllable leak;
 - 3. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas, except to alleviate immediate fire hazards.

Stage 3: Mandatory Compliance - Water Warning. During Stage 3, the following restrictions shall apply to all persons:

- a. Designated Irrigation Days - Customers whose addresses end in odd numbers may water only on Saturday and customers with even numbered addresses may water only on Sunday.
- b. All outdoor irrigation of vegetation shall occur only between the hours of 7:00 p.m. to 11:59 p.m. on weekends. Customers may water only on the designated irrigation day and must be accomplished by hand-held hoses, drip irrigation, or hand-held buckets only.
- c. Permanently installed, automatic sprinkler systems may be used during the hours of 12:00 a.m. (midnight) to 4:00 a.m. Customers may water only on the designated irrigation day.
- d. Commercial nurseries, commercial sod farmers, and similarly situated establishments shall water only on designated irrigation days between the hours of 10:00 a.m. and 5:00 p.m. and shall use only hand-held hoses, drip irrigation systems, or hand-held buckets.
- e. The watering of golf tee areas is prohibited unless done with treated wastewater effluent, reused water, or raw irrigation water.

- f. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment is prohibited except on designated irrigation date days between the hours of 7:00 p.m. to 11:59 p.m. Such washing, when allowed, shall be done with a hand-held bucket, or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.

Exception: Washing may be done at any time on the immediate premises of a commercial carwash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleaning, such as garbage trucks and vehicles used to transport food and perishables.

- g. The washing or sprinkling of foundations is prohibited except on designated irrigation days between the hours of 7:00 p.m. to 11:59 p.m.
- h. The refilling or adding of water to residential swimming and wading pools is prohibited except on designated irrigation days between the hours of 8:00 p.m. to 11:59 p.m.
- i. The operation of any ornamental fountain or other structure making similar use of water is prohibited except for those fountains and structures with a recycling system. The use of treated water to fill, refill, or maintain the level of any fountain is prohibited.
- j. Use of water from fire hydrants shall be limited to fire-fighting, related activities, and/or other activities necessary to maintain health, safety, and welfare of the citizens of the city.
- k. The following uses of water, but not limited to, are defined as “waste of water” and are absolutely prohibited:
 - 1. Allowing water to run off into a gutter, ditch, or drain;
 - 2. Failure to repair a controllable leak;
 - 3. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas, except to alleviate immediate fire hazards.

- l. A water surcharge shall be levied against all customers during Stage 3 in the following amounts:
 - 1. Single-Family residential and Multi-Family residential metered customers (all meter sizes) shall pay a 10% surcharge for any water used over an amount of 15,000 gallons per month.
 - 2. Those irrigation-metered customers shall pay a 10% surcharge for any water used over an amount of 10,000 gallons per month.
 - 3. Those commercial, institutional, industrial metered customers shall pay a 10% surcharge for any water used over an amount equal to 80% of the maximum monthly consumption over any one billing cycle out of the last 12 months preceding the month which the Stage 3 designation was implemented

Stage 4: Mandatory Compliance - Water Shortage. During Stage 4, the following restrictions shall apply to all persons:

- a. Designated Irrigation Days - Customers whose addresses end in odd numbers may water only on Saturday and customers with even numbered addresses may water only on Sunday.
- b. All outdoor irrigation of vegetation shall be allowed only between the hours of 9:00 p.m. to 11:59 p.m. on designated irrigation days. Customers may water only on Saturday and customers with even numbered addresses may water only on Sunday and must be accomplished by hand-held hoses, drip irrigation, or hand-held buckets only.
- c. Permanently installed, automatic sprinkler systems may be used during the hours of 12:00 a.m. (midnight) to 2:00 a.m. Customers may water only on the designated irrigation day.
- d. The watering of golf tee areas is prohibited unless done with treated wastewater effluent, reused water, or raw irrigation water.
- e. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment not occurring upon the immediate premises of commercial carwashes and commercial service stations and not in the immediate interest of the public health, safety, and welfare shall be prohibited.
- f. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment upon the immediate premises of commercial carwashes and commercial service stations in the immediate interest of the public health, safety, and welfare shall occur only between the hours of 12:00 p.m (noon) and 5:00 p.m.
- g. Commercial nurseries, commercial sod farmers, and similarly situated establishments shall water only on designated irrigation days between the hours of 12:00 p.m. (noon) and 5:00 p.m. and shall use only hand-held hoses, drip irrigation systems, or hand-held buckets.
- h. The filling, refilling, or adding of water to swimming and wading pools is prohibited.
- i. The operation of any ornamental fountain or similar structure is prohibited.
- j. The washing or sprinkling of foundations is prohibited.
- k. Use of water from fire hydrants shall be limited to fire-fighting, related activities, and/or other activities necessary to maintain health, safety, and welfare of the citizens of the city.
- l. The following uses of water, but not limited to, are defined as “waste of water” and are absolutely prohibited:
 1. Allowing water to run off into a gutter, ditch, or drain;
 2. Failure to repair a controllable leak;

3. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas, except to alleviate immediate fire hazards.

A water surcharge shall be levied against all customers during Stage 4 in the following amounts:

1. Single-Family residential and Multi-Family residential metered customers (all meter sizes) shall pay a 50% surcharge for any water used over an amount of 8,000 gallons per month.
2. Those irrigation-metered customers shall pay a 50% surcharge for any water used over an amount of 10,000 gallons per month.
3. Those commercial, institutional, industrial metered customers shall pay a 10% surcharge for any water used over an amount equal to 60% of the maximum monthly consumption over any one billing cycle out of the last 12 months preceding the month which the Stage 4 designation was implemented.

Stage 5: Mandatory Compliance - Water Shortage Emergency. During Stage 5, the following restrictions shall apply to all persons:

- a. Designated Irrigation Days – Once every 10 days and/or City Manager may establish a schedule.
- b. Irrigation is permitted during the hours of 7:00 p.m. to 8:00 a.m., once every ten (10) days and/or as established by the City Manager only by the following:
 1. Continuously hand-held hoses;
 2. Hand-held or faucet filled five-gallon bucket; or
 3. Drip irrigation.
- c. Irrigation by permanently installed, automatic sprinkler systems are prohibited.
- d. The watering of golf tee areas is prohibited unless done with treated wastewater effluent, reused water, or raw irrigation water.
- e. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment not occurring upon the immediate premises of commercial carwashes and commercial service stations and not in the immediate interest of the public health, safety, and welfare shall be prohibited.
- f. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment upon the immediate premises of commercial carwashes and commercial service stations and not in the immediate interest of the public health, safety, and welfare shall be prohibited.
- g. Watering for commercial nurseries, commercial sod farmers, and similarly situated establishments is prohibited.

- h. The filling, refilling, or adding of water to swimming and wading pools is prohibited.
- i. The operation of any ornamental fountain or similar structure is prohibited.
- j. The washing or sprinkling of foundations is prohibited.
- k. Use of water from fire hydrants shall be limited to fire-fighting, related activities, and/or other activities necessary to maintain health, safety, and welfare of the citizens of the city.
- l. 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 City Council.
- m. The City Manager may request assistance from other water purveyors in maintaining distribution system volume and pressure during the emergency condition.
- n. In the event that water shortage or water emergency condition (including contamination) threaten the public health, safety, and welfare, the City Manager, may order water rationing and/or termination of service to some selected non-residential users.
- o. A water surcharge shall be levied against all customers during Stage 5 in the following amounts:
 - 1. Single-Family residential and Multi-Family residential metered customers (all meter sizes) shall pay a 100% surcharge for any water used over an amount of 6,000 gallons per month.
 - 2. Those irrigation-metered customers shall pay a 100% surcharge for any water used over an amount of 10,000 gallons per month.
 - 3. Those commercial, institutional, and industrial metered customers shall pay a 10% surcharge for any water used over an amount equal to 20% of the maximum monthly consumption over any one billing cycle out of the last 12 months preceding the month which the Stage 5 designation was implemented.
- p. The following uses of water are defined as “waste of water” and are absolutely prohibited:
 - 1. Allowing water to run off into a gutter, ditch, or drain;
 - 2. Failure to repair a controllable leak;
 - 3. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas, except to alleviate immediate fire hazards.

In the event that minimum health and safety standards for drinking water are not met during emergency conditions, public service announcements on local television and radio stations will be

utilized to notify the public of the emergency conditions and response measures. These response measures may include notifying the public the need to boil water, use bottled water, or use a designated alternate water source, as appropriate.

Nothing shall prohibit the City Manager, or his/her designee, from taking those actions deemed necessary to meet emergency conditions resulting from unforeseen circumstances such as canal breakdown, pump failures, water line ruptures, and contamination. Such actions shall remain in full force and effect until the situation causing such emergency is abated or until the City Council shall have the opportunity to consider such matter.

VIII. VARIANCES

The City Manager, or his/her designee, may grant temporary variance from the provisions of the Drought Plan if the person requesting the variance can satisfactorily demonstrate that failure to grant such variance would adversely affect the health, sanitation, or fire protection for the public or the person requesting such variance, and if one or more of the following conditions are met:

- a. 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.
- b. Alternative methods can be implemented which will achieve the same level of reduction in water use.

IX. PENALTY OF VIOLATION

- a. Whoever violates any provision of this Plan for which no other penalty has been provided shall be punished as provided in the Edinburg Code of Ordinances, § 50.99.
- b. Any person violating any of the provisions of the Edinburg Code of Ordinances, § 53.12 shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$1,000.00.
- c. Because the provisions of this Plan affect the public health, safety, and welfare; any person, corporation, or association violating any provision of this Plan after order and notice as herein specified shall be deemed guilty of an offense as follows:
 1. First offense: Oral warning and education process.
 2. Second offense: Written warning and education process.
 3. Third offense: Citation to Municipal Court for fine up to \$200.00 per violation; mandatory educational program, or possible disconnect, to continue until fines are paid and the educational process is completed to be determined by the Municipal Court.

The violation of each provision and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly. Provided however compliance may be further sought through injunctive relief in the district court.

ATTACHMENT “A” – Water and Sewer Rates

Residential Rates (Inside City Limits)					
Monthly Minimum Charge – 1 st 3,000 Gallons	Effective March 1, 2024	Effective October 1, 2024	Effective October 1, 2025	Effective October 1, 2026	Effective October 1, 2027
All Meters	\$11.97	\$13.28	\$14.74	\$16.36	\$18.16
Additional Gallons					
3,001 – Above	\$2.76	\$3.07	\$3.41	\$3.78	\$4.20
Multi-Family & Commercial Water Rates (Inside City Limits)					
Monthly Minimum Charge – 1 st 3,000 Gallons	Effective March 1, 2024	Effective October 1, 2024	Effective October 1, 2025	Effective October 1, 2026	Effective October 1, 2027
5/8" x 3/4"	\$14.89	\$16.52	\$18.34	\$20.36	\$22.60
1"	\$14.89	\$16.52	\$18.34	\$20.36	\$22.60
1 1/2"	\$19.84	\$22.02	\$24.44	\$27.13	\$30.11
2"	\$29.68	\$32.95	\$36.57	\$40.59	\$45.06
3"	\$39.73	\$44.10	\$48.95	\$54.33	\$60.31
4"	\$59.37	\$65.91	\$73.15	\$81.20	\$90.13
6"	\$99.23	\$110.15	\$122.27	\$135.72	\$150.64
8"	\$198.47	\$220.30	\$244.53	\$271.43	\$301.29
Additional Gallons					
3,001 – Above	\$2.76	\$3.07	\$3.41	\$3.78	\$4.20
Residential Water Rates (Outside City Limits)					
Monthly Minimum Charge – 1 st 3,000 Gallons	Effective March 1, 2024	Effective October 1, 2024	Effective October 1, 2025	Effective October 1, 2026	Effective October 1, 2027
All Meters	\$14.96	\$16.61	\$18.44	\$20.46	\$22.71
Additional Gallons					

3,001 – Above	\$3.45	\$3.83	\$4.25	\$4.72	\$5.24
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Multi-Family & Commercial Water Rates (Outside City Limits)					
Monthly Minimum Charge – 1 st 3,000 Gallons	Effective March 1, 2024	Effective October 1, 2024	Effective October 1, 2025	Effective October 1, 2026	Effective October 1, 2027
5/8" x 3/4"	\$18.60	\$20.65	\$22.92	\$25.44	\$28.24
1"	\$18.60	\$20.65	\$22.92	\$25.44	\$28.24
1 1/2"	\$24.80	\$27.53	\$30.55	\$33.91	\$37.64
2"	\$37.11	\$41.19	\$45.72	\$50.75	\$56.33
3"	\$49.66	\$55.12	\$61.19	\$67.92	\$75.39
4"	\$74.21	\$82.38	\$91.44	\$101.50	\$112.66
6"	\$124.04	\$137.69	\$152.83	\$169.64	\$188.31
8"	\$248.09	\$275.37	\$305.67	\$339.29	\$376.61
Additional Gallons					
3,001 – Above	\$3.45	\$3.83	\$4.25	\$4.72	\$5.24
Residential, Multi-Family, & Commercial City Wastewater Rates (Inside City Limits)					
	Effective March 1, 2024	Effective October 1, 2024	Effective October 1, 2025	Effective October 1, 2026	Effective October 1, 2027
Monthly Minimum Charge – 1 st 3,000 Gallons	\$8.94	\$9.92	\$11.01	\$12.22	\$13.56
Volume Rate/1,000 Gal	\$1.70	\$1.89	\$2.09	\$2.32	\$2.58
Maximum Bill for Single Family Residential Customers	\$34.24	\$38.01	\$42.19	\$46.83	\$51.98

Residential, Multi-Family, & Commercial City Wastewater Rates (Outside City Limits)

	Effective March 1, 2024	Effective October 1, 2024	Effective October 1, 2025	Effective October 1, 2026	Effective October 1, 2027
Monthly Minimum Charge – 1 st 3,000 Gallons	\$11.18	\$12.41	\$13.77	\$15.29	\$16.97
Volume Rate/1,000 Gal	\$2.13	\$2.37	\$2.63	\$2.91	\$3.24
Maximum Bill for Single Family Residential Customers	\$42.93	\$47.66	\$52.90	\$58.72	\$65.17