



WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

2019

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PURPOSE

PURPOSE

The purpose of this report is to provide a framework for conserving the City of Kilgore's water resources for future generations and establishing strategy in times of drought.

This report is prepared to comply with Texas Water Code 11.1271, 13.146, 17.125(b), 17.277(b) and 31 Texas Administrative Code Chapter 363 and 30 Texas Administrative Code Chapter 288.

CONTACT INFORMATION

CONTACT INFORMATION

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Implementation:	City Manager or designee
Report Completed by:	Clayton R. Evers, P.E.
Title:	Director of Public Works

Signature and Date

UTILITY PROFILE

UTILITY PROFILE

POPULATION AND CUSTOMER DATA

Population and Service Area Data

1. Service Area Map is provided as Appendix A to this report.
2. Service Area: 26 square miles
3. Current Population of Service Area: 14,321 as of January 1, 2018
(Source: Texas Demographic Center)
4. Current Population Served for:
 - a. Water:
 - b. Wastewater
5. Population Served for Previous 5 Years

YEAR	POPULATION
2014	14,564
2015	14,628
2016	14,260
2017	14,300
2018	14,321

6. Projected Population for Following Decades:

YEAR	POPULATION
2030	15,167
2040	16,398
2050	17,729
2060	19,168
2070	20,724

7. Population Source:
 - a. Projected population growth assumes an average annual growth rate of 0.78% as experienced by the City from 1970 to 2010.

UTILITY PROFILE

- b. Last 5 year population estimates were produced by The Population Estimates and Projections Program at The Texas Demographic Center.

Customer Data

QUANTIFIED 5-YEAR AND 10-YEAR GOALS FOR WATER SAVINGS

	HISTORIC 5-YR AVG	BASELINE*	5-YR GOAL FOR YR 2024	10-YR GOAL FOR YR 2029
Total GCPD	156	137	153	150
Residential GCPD	66	59	64	62
Water Loss GCPD	35	27	28	26
Water Loss Percentage	22.4%	19.7%	18.0%	17.0%

*Lowest recorded value in last 5 years

CURRENT NUMBER OF ACTIVE CONNECTIONS (DECEMBER 2018)

TREATED WATER USERS	ACTIVE AND INACTIVE CONNECTIONS
Residential	5,147
Commercial/Industrial	916
Institutional	126
Other/Wholesale	2

NUMBER OF NEW CONNECTIONS PER YEAR

TREATED WATER USERS	YEAR		
	2016	2017	2018
Residential	47	56	-31
Commercial/Industrial	25	26	-31
Institutional	2	1	10
Other/Wholesale	0	0	0

UTILITY PROFILE

ANNUAL WATER USE OF HIGHEST VOLUME CUSTOMERS (2018)

CUSTOMER	USE (1000 GAL PER YEAR)
Liberty-Danville FWSD No. 1	27,450
City of Kilgore WWTP	23,738
Halliburton	14,146
Cross Roads SUD	10,119
City of Kilgore SWTP	6,891

UTILITY PROFILE

WATER USE DATA FOR SERVICE AREA

Water Accounting Data

TREATED WATER USE IN PREVIOUS YEARS						
	YEAR	2014	2015	2016	2017	2018
MONTH						
January		60,236	70,158	51,399	52,634	56,058
February		51,895	52,475	47,382	47,961	47,962
March		51,507	57,730	56,024	50,504	49,905
April		67,441	59,523	57,877	49,907	54,309
May		76,209	61,933	60,285	67,721	73,941
June		76,823	85,043	60,778	61,719	88,188
July		91,702	112,430	98,049	79,560	91,096
August		97,301	132,196	82,203	65,646	95,574
September		91,852	116,577	72,406	68,652	71,432
October		69,938	86,365	69,110	67,046	66,269
November		64,453	56,579	56,741	54,456	50,044
December		72,191	54,300	52,098	51,257	51,105

Treated water use determined by volume of summation of meter readings from each individual water well source and from meter reading of flow leaving water treatment plant into clearwell storage.

UTILITY PROFILE

AMOUNT OF WATER SOLD

ACCOUNT TYPES	YEAR				
	2014	2015	2016	2017	2018
Residential					
Single-Family	337,959	329,327	304,169	271,233	296,973
Multi-Family	43,924	40,962	39,236	35,963	39,234
Commercial/Industrial	183,733	165,454	170,111	158,960	173,065
Institutional	83,880	75,610	75,574	69,457	91,397
Other/Wholesale	32,134	34,310	35,435	34,181	37,405

WATER LOSS

YEAR	AMOUNT	PERCENT
2014	189,918	21.8%
2015	299,646	31.7%
2016	139,827	18.3%
2017	147,269	20.5%
2018	157,809	19.8%

Water loss is the difference between water treated and water sold.

Projected Water Demands

Assuming an average per capita demand of 156 gpcd over the last 5 years and a historical growth rate of 0.78% annually, the projected water demand in 2030 is expected to be 860.8 MG. This assumes a relatively stable split between residential and other water user consumption and no progress towards water conservation and loss control goals.

UTILITY PROFILE

WATER SUPPLY SYSTEM DATA

Water Supply Sources

The City has water rights to Lake Fork through a contract with the Sabine River Authority. The water available from that contract is 6 MGD (6,712 ac-ft/yr) with a maximum instantaneous rate of 15 MGD. The water is released from Lake Fork and diverted by Kilgore from the Sabine River. This water is treated at the Surface Water Treatment Plant which has a design capacity of 3.5 MGD.

The City also operates seven groundwater wells in the Carrizo-Wilcox Aquifer in Smith County with a production capacity of approximately 3.5 MGD.

Treatment and Distribution System

Design Daily Capacity of the System: The system currently has the ability to provide 10 MGD into the system with both high service pumps running and discharge from the elevated storage facility that serves the well field.

Storage Capacity: The City has four elevated storage tanks and three ground storage tanks.

RECOGNIZED STORAGE CAPACITY

STORAGE TANK	RECOGNIZED CAPACITY (GAL)
Danville Rd Elevated	176,243
North St Elevated	176,243
Rusk St Elevated	44,061
Laird Hill Elevated	932,327
Clearwells 1 and 2	2,000,000
Wellfield Ground Storage	470,000

*Recognized capacity for elevated storage is the volume of water stored 80 feet above Kilgore's highest connection (417' AMSL). For ground storage, it is the full volume of the tank.

UTILITY PROFILE

WASTEWATER SYSTEM DATA

Wastewater System Data

The wastewater system serves the area within the city limits of the City of Kilgore. The City is served by approximately 70 miles of pipes, 8 lift stations, and a 3 MGD trickling filter/solids contact wastewater treatment plant. The City is authorized under TPDES Permit No. 10201-001 to discharge effluent via pipe to Rabbit Creek and thence to Segment 505 of the Sabine River.

MONTHLY VOLUME DISCHARGE (1000 GALS)

YEAR	2014	2015	2016	2017	2018
Month					
January	54,856	94,353	86,545	85,496	66,955
February	58,471	72,542	67,564	65,079	113,095
March	75,318	188,428	105,473	66,901	105,135
April	76,770	91,313	93,267	75,474	67,035
May	96,278	124,207	91,333	61,492	55,130
June	66,860	80,387	74,178	68,358	50,375
July	52,627	52,909	51,478	54,922	52,475
August	49,090	50,053	63,743	72,885	47,444
September	47,000	43,731	52,418	48,045	51,791
October	59,210	50,223	49,684	46,760	64,859
November	56,052	110,437	49,889	46,445	84,963
December	53,390	127,000	65,485	62,100	106,833

WATER CONSERVATION PLAN

WATER CONSERVATION PLAN

RECORD MANAGEMENT SYSTEM

The City of Kilgore currently records daily the all flow meter readings from all production facilities and records it in CityWorks Asset Management System. Monthly meter readings are performed either manually or by Automated Meter Infrastructure and are stored in Incode V.X, the City's billing software. Each connection is classified by its sector.

MEASURING AND ACCOUNTING FOR DIVERSIONS

All production meters are tested annually to insure a 5% accuracy. Any meters not meeting this standard are immediately calibrated.

UNIVERSAL METERING

Kilgore meters all of its water uses, including retail sales and public and governmental users. Kilgore estimates the water used by the fire department for fire suppression, hydrant flushing, and main breaks based on the length of time the water flows and the water pressure.

In the year 2014, Kilgore began a water meter replacement program and has since replaced all of the water meters, including retail sales, public, and governmental in the system. Kilgore has completed this replacement program and all meters are less than ten years old. Kilgore has also installed a radio system to read water meters.

Kilgore will initiate a program to test and calibrate all water meters that are two inches and larger on an annual basis. Smaller meters will be tested and calibrated when the water use patterns indicate a pattern of irregular declining usage.

WATER CONSERVATION PLAN

MEASURES TO DETERMINE AND CONTROL WATER LOSS

Total water loss is the difference between water produced (from each individual well and from the surface water treatment plant) and authorized consumption by customers. Water losses include four categories:

- Authorized consumption includes billed metered uses, unbilled metered uses, and unbilled unmetered uses such as firefighting and releases for flushing of lines.
- Apparent losses such as inaccuracies in customer meters. (Customer meters tend to run more slowly as they age and under-report actual use).
- Unauthorized consumption due to illegal connections and theft.
- Real Losses due to water main breaks and leaks in the water distribution system and unreported losses.

Measures to control water losses are part of the routine operations of the City. Maintenance crews and personnel are asked to look for and report evidence of leaks in the water distribution system either by using an application developed for reporting such problems, calling the police department, or calling City Hall.

In addition to these measures, the City conducts the TWDB required Water Loss Audit annually, with a full update every 5 years.

CONTINUING PUBLIC EDUCATION & INFORMATION

The continuing public education and information campaign on water conservation includes the following elements:

- Include inserts on water conservation with water bills or mail outs at least twice per year.
- Inserts will include material developed by City staff and material obtained from the Texas Water Development Board ("TWDB"), the TCEQ, and other sources.

WATER CONSERVATION PLAN

- Encourage local media coverage of water conservation issues and the importance of water conservation.
- Notify local organizations, schools, and civic groups that City staff is available to make presentations on the importance of water conservation and ways to save water.
- Promote the Texas Smartscape website (www.txsmartscape.com) and provide water conservation brochures and other water conservation materials available to the public at city hall and other public places.
- Make information on water conservation available online on the City website, www.cityofkilgore.com including links to the Texas Smartscape website and to information on water conservation on the TWDB and TCEQ websites and other resources.

NON-PROMOTIONAL WATER RATE STRUCTURE

The City has instituted a non-promotional block rate structure that is intended to discourage excessive water use. This rate structure is reviewed annually, with rate studies performed every 5 to 7 years. Water rates increase at uses above 10,000 gallons per month and 40,000 gallons per month.

RESERVOIR SYSTEMS OPERATIONS PLAN

The City of Kilgore diverts water from the Sabine River via releases from Lake Fork Reservoir by the Sabine River Authority. The SRA communicates with the City regarding any changes to the operations of the reservoir.

ENFORCEMENT PROCEDURE AND PLAN ADOPTION

The Water Conservation and Drought Contingency Plan was adopted by ordinance at a meeting of the Kilgore City Council on September 24, 2019. The plan grants the authority for enforcement to the City Manager or their designee.

WATER CONSERVATION PLAN

COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of the City of Kilgore is located within Regions I and D and Kilgore has provided a copy of this water conservation plan to the East Texas and North East Texas Regional Water Planning Groups.

PLAN REVIEW AND UPDATE

The City completes the TCEQ required Water Conservation Implementation Report by May 1 of each year and the TWDB required Water Conservation Program Annual Report. The report includes various water conservation strategies that have been implemented, including the date of implementation. Additionally, the report includes progress made on the five and ten year per capita water use goals from this Plan. If the goals are not being met, the City must document the reasons why. The amount of water saved is also documented in this report.

The City also updates this Water Conservation and Drought Contingency Plan every 5 years.

LEAK DETECTION AND REPAIR

The City maintains a proactive stance in maintaining its utility system assets to minimize leaks and water loss due to old or failing infrastructure. The City operators currently conduct routine inspections for leaks or illegal water use and monthly water audits.

Customers are notified if water use is abnormally high and encouraged to check their home for possible leaks. Sudden decreases in usage or cessation of reported use also triggers an investigation of the meter in question. Review of potential rehabilitation needs for the next five years is conducted on an annual basis as part of the City's Capital Improvements Projects process. Additionally, comprehensive geographic information system (GIS) and asset management system (AMS) components detailing the City's utility infrastructure has been established and provides support in rehabilitation and loss prevention efforts.

WATER CONSERVATION PLAN

CONTRACT REQUIREMENTS

The City will no longer be a wholesale water provider as of the fall of 2019.

ADDITIONAL CONSERVATION STRATEGIES

The city adopted the 2012 International Plumbing Code in June 2014, which incorporates plumbing regulations requiring water-conserving fixtures on all new construction and renovations.

DROUGHT CONTINGENCY PLAN

DROUGHT CONTINGENCY PLAN

SECTION I: DECLARATION OF PURPOSE, POLICY, AND INTENT

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 Kilgore hereby adopts the following regulations and restrictions on the delivery and consumption of water.

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

SECTION II: PUBLIC INVOLVEMENT

Opportunity for the public to provide input into the preparation of the Plan is provided by the City of Kilgore by means public comment periods during regularly scheduled meetings of the City Council, held on the second and fourth Tuesdays of the month at 5:30 pm. Notifications regarding the plan and its implementation are provided via social media outlets and the City's website at www.cityofkilgore.com.

SECTION III: PUBLIC EDUCATION

The City of Kilgore will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the 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 release, utility bill inserts, posting on various social media accounts, and inclusion on the City's website.

DROUGHT CONTINGENCY PLAN

SECTION IV: COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of the City of Kilgore is located within the Region D and Region I Regional Water Planning Groups and the City of Kilgore has provided a copy of this Plan to these groups. The plan is also made available to the Sabine River Authority from which the City of Kilgore purchases untreated water.

SECTION V: AUTHORIZATION

The city manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this 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 Plan.

SECTION VI: APPLICATION

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

SECTION VII: DEFINITIONS

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

DROUGHT CONTINGENCY PLAN

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by the City of Kilgore.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- a. irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- b. use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- c. use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- d. use of water to wash down buildings or structures for purposes other than immediate fire protection;
- e. flushing gutters or permitting water to run or accumulate in any gutter or street;

DROUGHT CONTINGENCY PLAN

- f. use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi type pools;
- g. use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- h. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- i. use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

SECTION VIII: CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES

The City Manager or his/her designee shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on known system capacity limits.

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, annually, beginning on June 1 through September 30.

Requirements for termination

Stage 1 will terminate on September 30 of every year.

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for initiation

DROUGHT CONTINGENCY PLAN

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses provided in Section IX of this Plan when one or more of the following conditions occur:

- a. The Sabine River Authority (SRA) requests the enactment of Stage 2 Drought protocols.
- b. The City Council, City Manager, or their designees find that conditions warrant the declaration of Stage 2.
- c. Any interruption in the City's delivery infrastructure, including damage to groundwater transmission mains and high service pumps that lasts longer than 7 days that limits the delivery capacity to 120% of the previous seven days average production.
- d. Any interruption in the City's supply infrastructure that lasts longer than 7 days that limits the production capacity to 120% of the previous seven days average production.
- e. A production rate of 80% of the total available production capacity for 3 consecutive days. (5.6 MGD as of September 1, 2019)

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 7 consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 3 of this Plan when one or more of the following conditions occur:

- a. The Sabine River Authority (SRA) requests the enactment of Stage 3 Drought protocols.

DROUGHT CONTINGENCY PLAN

- b. The City Council, City Manager, or their designees find that conditions warrant the declaration of Stage 3.
- c. Any interruption in the City's delivery infrastructure, including damage to groundwater transmission mains and high service pumps that lasts longer than 7 days that limits the delivery capacity to 115% of the previous seven days average production.
- d. Any interruption in the City's supply infrastructure that lasts longer than 7 days that limits the production capacity to 115% of the previous seven days average production.
- e. A production rate of 90% of the total available production capacity for 3 consecutive days. (6.3 MGD as of September 1, 2019)

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 7 consecutive days. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 4 of this Plan when one or more of the following conditions occur:

- a. The Sabine River Authority (SRA) requests the enactment of Stage 3 Drought protocols.
- b. The City Council, City Manager, or their designees find that conditions warrant the declaration of Stage 4.
- c. Any interruption in the City's delivery infrastructure, including damage to groundwater transmission mains and high service pumps that lasts longer than 5 days that limits the delivery capacity to 105% of the previous seven days average production.

DROUGHT CONTINGENCY PLAN

- d. Any interruption in the City's supply infrastructure that lasts longer than 5 days that limits the production capacity to 105% of the previous seven days average production.
- e. A production rate of 95% of the total available production capacity for 3 consecutive days. (6.65 MGD as of September 1, 2019)

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 7 consecutive days. Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when City Manager, or his/her designee, determines that a water supply emergency exists based on:

- a. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service
- b. Natural or man-made contamination of the water supply source(s) The Sabine River Authority (SRA) requests the enactment of Stage 4 Drought protocols.
- c. The City Council, City Manager, or their designees find that conditions warrant the declaration of Stage 5.
- d. Any interruption in the City's delivery infrastructure, including damage to groundwater transmission mains and high service pumps that lasts longer than 3 days that limits the delivery capacity to 100% of the previous seven days average production.
- e. Any interruption in the City's supply infrastructure that lasts longer than 3 days that limits the production capacity to 100% of the previous seven days average production.

DROUGHT CONTINGENCY PLAN

- f. A production rate of 98% of the total available production capacity for 3 consecutive days. (6.86 MGD as of September 1, 2019).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Stage 6 Triggers – WATER ALLOCATION

Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 6 of this Plan when one or more of the following events exist:

- a. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service
- b. Natural or man-made contamination of the water supply source(s)
The Sabine River Authority (SRA) requests the enactment of Stage 6 Drought protocols.
- c. The City Council, City Manager, or their designees find that conditions warrant the declaration of Stage 6.

Requirements for termination

Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

SECTION IX: DROUGHT RESPONSE STAGES

The City Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

DROUGHT CONTINGENCY PLAN

Notification

Notification of the Public:

The City Manager or his/ her designee shall notify the public by means of:

- publication in a newspaper of general circulation,
- public service announcements,
- signs posted in public places,
- take-home fliers at schools,
- posting to internet, i.e. city website and social media
- Code Red notification system

Additional Notification:

The City Manager or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Mayor and members of the City Council (All Stages)
- Fire Chief (All Stages)
- City and/or County Emergency Management Coordinator(s) (Stage 3 and above)
- County Judge & Commissioner(s) (Stage 4 and above)
- State Disaster District / Department of Public Safety (Stage 4 and above)
- TCEQ (required when mandatory restrictions are imposed)
- Major water users (Stage 1 and above)
- Critical water users, i.e. hospitals (All Stages)
- Parks / street superintendents & public facilities managers (Stage 2 and above)

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary 5 percent reduction in total production over the same period of the previous year.

Best Management Practices for Supply Management:

No supply management strategies are needed at this stage.

DROUGHT CONTINGENCY PLAN

Voluntary Water Use Restrictions for Reducing Demand:

- a. Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- b. All operations of the City of Kilgore shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- c. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Reduce daily production to below 80% of the available production capacity.

Best Management Practices for Supply Management:

- a. Identify and repair leaks on a daily basis.
- b. City facilities will adhere to irrigation schedules.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- a. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by

DROUGHT CONTINGENCY PLAN

means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. 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 rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash 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 cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- c. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- e. Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Kilgore.
- f. Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- g. All restaurants are prohibited from serving water to patrons except upon request of the patron.
- h. The following uses of water are defined as non-essential and are prohibited:

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1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. use of water for dust control;
4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Reduce daily production to below 90% of the available production capacity.

Best Management Practices for Supply Management:

- a. Identify and repair leaks on a daily basis.
- b. Water line flushing is prohibited, except for dead-end mains or for identified water-quality control issues.
- c. City facilities will adhere to irrigation schedules.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- a. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- b. The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by City.
- c. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

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Stage 4 Response – CRITICAL Water Shortage Conditions

Target: Reduce daily production to below 95% of the available production capacity.

Best Management Practices for Supply Management:

- a. Identify and repair leaks on a daily basis.
- b. Water line flushing is prohibited, except for dead-end mains or for identified water-quality control issues and shall only occur between the hours of 9 pm and 3 am.
- c. City facilities will adhere to irrigation schedules.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- a. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- c. The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

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- e. No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Reduce daily production to below 98% of the available production capacity.

Best Management Practices for Supply Management:

- a. Identify and repair leaks on a daily basis.
- b. Water line flushing is prohibited, except for dead-end mains or for identified water-quality control issues and shall only occur between the hours of 9 pm and 3 am.
- c. City facilities will adhere to irrigation schedules.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- a. Irrigation of landscaped areas is absolutely prohibited.
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Stage 6 Response – WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety, and welfare, the City Manager is hereby authorized to allocate water according to the following water allocation plan:

Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

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SINGLE-FAMILY RESIDENTIAL CUSTOMER ALLOCATION

PERSONS PER HOUSEHOLD	GALLONS PER MONTH
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

"Household" means the residential premises served by the customer's meter.

"Persons per household" include only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of two (2) persons unless the customer notifies the City of a greater number of persons per household on a form prescribed by the City Manager. The City Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City's offices at 815 N. Kilgore St. to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the City Manager. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the City on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the City in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the City Manager shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the City of a reduction in the number of person in a household shall be fined not less than \$250.00.

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Residential water customers shall pay the following surcharges:

- \$50 for the first 1,000 gallons over allocation
- \$100 for the second 1,000 gallons over allocation
- \$150 for the third 1,000 gallons over allocation
- \$100 for each additional 1,000 gallons over allocation

Surcharges will be cumulative.

Master-Metered Multi-Family Residential Customers

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (example: apartments, mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer's meter serves the number dwelling units currently on file with the City unless the customer notifies the City of a greater number on a form prescribed by the City manager. The City Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City's offices to complete and sign the form claiming more dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the City Manager. If the number of dwelling units served by a master meter is reduced, the customer shall notify the City in writing within two (2) days. In prescribing the method for claiming more units, the City Manager shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of a reduction in the number of person in a household shall be fined not less than \$500.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges: \$100 for every 1,000 gallons over entire allocation for the complex.

Surcharges shall be cumulative.

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Commercial and Industrial Customers

A monthly water allocation shall be established by the City Manager, or his/her designee, for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The nonresidential customer's allocation shall be approximately 75% percent of the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. The City Manager shall give his/her best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the City to determine the allocation. Upon request of the customer or at the initiative of the City Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, (2) one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Nonresidential commercial customers shall pay the following surcharges:

- \$100 for the first 1,000 gallons over allocation
- \$200 for the second 1,000 gallons over allocation
- \$300 for the third 1,000 gallons over allocation
- \$200 for each additional 1,000 gallons over allocation

The surcharges shall be cumulative.

SECTION X: ENFORCEMENT

No person shall knowingly or intentionally allow the use of water from the City for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time

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pursuant to action taken by City Manager, or his/her designee, in accordance with provisions of this Plan.

Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than Two hundred dollars (\$200) and not more than Five Hundred dollars (\$500). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$50, and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

Any person, including a person classified as a water customer of the City, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation.

Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

Any employee of the City, police officer, or other employee designated by the City Manager, may issue a citation to a person he/she reasonably believes to

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be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

SECTION XI: VARIANCES

The City Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting 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.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be

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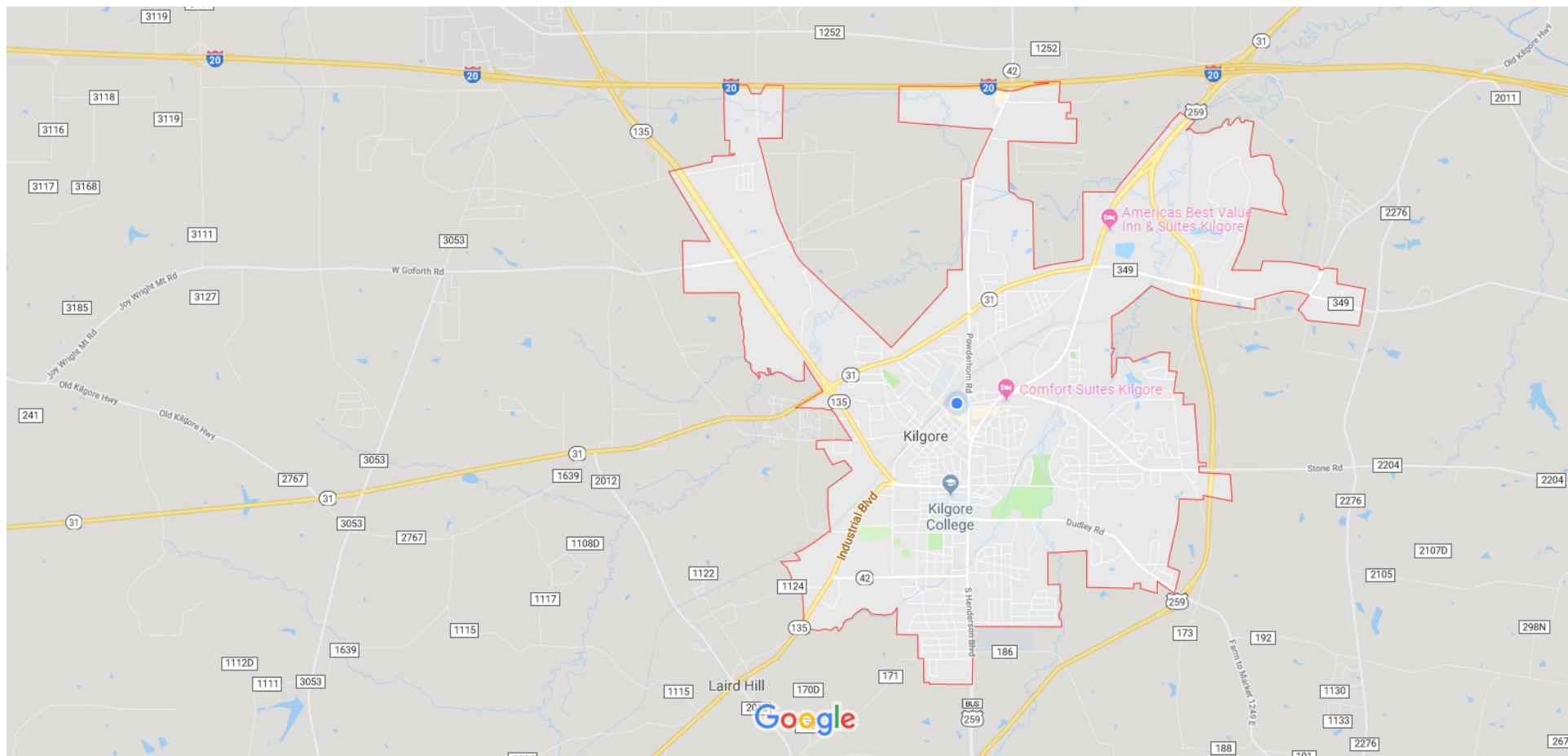
reviewed by the City Manager, or his/her designee, and shall include the following:

- a. Name and address of the petitioner(s).
- b. Purpose of water use.
- c. Specific provision(s) of the Plan from which the petitioner is requesting relief.
- d. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- e. Description of the relief requested.
- f. Period of time for which the variance is sought.
- g. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- h. Other pertinent information.

APPENDIX A

Appendix A

SERVICE AREA MAP



APPENDIX B

Appendix B

WATER CONSERVATION IMPLEMENTATION REPORT



WATER CONSERVATION IMPLEMENTATION REPORT FORM AND SUMMARY OF UPDATES/REVISIONS TO WATER CONSERVATION PLAN

(Texas Water Code §11.1271(b) and Title 30 Texas Administrative Code §288.30(1) to (4))

Please note, this form replaces the following forms: TCEQ-20645 (Non-Public Water Suppliers) and TCEQ-20646 (Public Water Suppliers)

This Form is applicable to the following entities:

- 1. Water Right Holders of 1,000 acre-feet or more for municipal, industrial, and other non-irrigation uses.**
- 2. Water Right Holders of 10,000 acre-feet or more for irrigation uses.**

The above noted entities are required by rule to submit updates to their water conservation plan(s) and water conservation implementation report(s) every five years. The most current five-year submittal deadline is **May 1st, 2019**. See 30 Texas Administrative Code (TAC) §288.30(1) to (4). Entities must also submit any revisions to their water conservation plan within 90 days of adoption when the plans are revised in between the five-year submittal deadlines. This form may be used for the five-year submittal or when revisions are made to the water conservation plans in the interim periods between five-year submittals. Please complete the form as directed below.

1. Water Right Holder Name: _____
2. Water Right Permit or Certificate Nos. _____

3. Please Indicate by placing an 'X' next to all that Apply to your Entity:

Water Right Holder of 1,000 acre-feet or more for non-irrigation uses

- _____ Municipal Water Use by Public Water Supplier
_____ Wholesale Public Water Supplier
_____ Industrial Use
_____ Mining Use
_____ Agriculture Non-Irrigation

Water Right Holder of 10,000 acre-feet or more for irrigation uses

- _____ Individually-Operated Irrigation System
_____ Agricultural Water Suppliers Providing Water to More Than One User

Water Conservation Implementation Reports/Annual Reports

4. Water Conservation Annual Reports for the previous five years were submitted to the Texas Water Development Board (TWDB) for each of the uses indicated above as required by 30 TAC §288.30(10)(C)? Yes _____ No _____

TCEQ no longer requires submittal of the information contained in the detailed implementation report previously required in Forms TCEQ-20645 (Non-Public Water Suppliers) and TCEQ-20646 (Public Water Suppliers). However, the Entity must be up-to-date on its Annual Report Submittals to the TWDB.

Water Conservation Plans

5. For the five-year submittal (or for revisions between the five-year submittals), attach your updated or revised Water Conservation Plan for each of the uses indicated in Section 3, above. Every updated or revised water conservation plan submitted must contain each of the minimum requirements found in the TCEQ rules and must be duly adopted by the entity submitting the water conservation plan. Please include evidence that each water conservation plan submitted has been adopted.
- Rules on minimum requirements for Water Conservation Plans can be found in 30 TAC 288.
http://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288
 - Forms which include the minimum requirements and other useful information are also available to assist you. Visit the TCEQ webpage for Water Conservation Plans and Reports. https://www.tceq.texas.gov/permitting/water_rights/wr_technical-resources/conserves.html

*Call 512-239-4691 or email to **wcp@tceq.texas.gov** for assistance with the requirements for your water conservation plan(s) and report(s).*

6. For each Water Conservation Plan submitted, state whether the five and ten-year targets for water savings and water loss were met in your *previous* water conservation plan.

Yes_____ No_____

If the targets were not met, please provide an explanation.

7. For each five-year submittal, does each water conservation plan submitted contain *updated* five and ten-year targets for water savings and water loss?

Yes_____ No_____

If yes, please identify where in the water conservation plan the updated targets are located (page, section).

8. In the box below (or in an attachment titled "Summary of Updates or Revisions to Water Conservation Plans), please identify any other revisions/updates made to each water conservation plan that is being updated or revised. Please specify the water conservation plan being updated and the location within the plan of the newly adopted updates or revisions.

9. Form Completed by (Point of Contact): _____
(If different than name listed above, owner and contact may be different individual(s)/entities)

Contact Person Title/Position: _____

Contact Address: _____

Contact Phone Number: _____ Contact Email Address: _____

Signature: _____

Clayton R. Evers

Date: _____

APPENDIX C

Appendix C

ORDINANCE 1750 OF THE CITY OF KILGORE, TEXAS

ORDINANCE NO. 1750

AN ORDINANCE FINDING AND DETERMINING THAT THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF KILGORE, TEXAS, A COPY OF WHICH IS ATTACHED HERETO AND MARKED EXHIBIT "A", HAS BEEN PREPARED IN ACCORDANCE WITH ALL APPLICABLE LAWS, RULES, REGULATIONS, STANDARDS AND GUIDELINES PROMULGATED BY APPROPRIATE AUTHORITY, AND FURTHER, THAT SUCH PLAN IS ADEQUATE TO PROVIDE AN EFFECTIVE MEANS FOR WATER CONSERVATION AND DROUGHT CONTINGENCY WITHIN THE CITY LIMITS OF THE CITY OF KILGORE, ADOPTING THE SAME AS THE OFFICIAL WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF KILGORE, TEXAS, AND REQUIRING ADHERENCE TO ALL REQUIREMENTS, CONDITIONS AND PROCEDURES SPECIFIED THEREBY

WHEREAS, heretofore previously, the City of Kilgore has undertaken such studies and surveys as were necessary to determine appropriate facts upon which to base and develop a Water Conservation and Drought Contingency plan for the City of Kilgore; and

WHEREAS, as a result of such preliminary work, a Water Conservation and Drought Contingency plan has been prepared, which fairly represents a sound policy for the City of Kilgore;

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

Section 1. That the City Council of the City of Kilgore hereby finds and determines that the Water Conservation and Drought Contingency plan, a copy of which is attached hereto and marked Exhibit "A", has been prepared in accordance with all applicable laws, rules, regulations, standards and guidelines promulgated by appropriate authority.

Section 2. That the City Council of the City of Kilgore further finds and determines that the said Water Conservation and Drought Contingency plan is adequate to provide an effective means for water conservation and drought management within the city limits of the City of Kilgore.

Section 3. That the Water Conservation and Drought Contingency Plan, a copy of which is attached hereto and marked Exhibit "A", is hereby adopted as the official Water Conservation and Drought Contingency Plan for the City of Kilgore, Texas.

Section 4. Further, that all of the requirements, conditions and procedures specified in the attached Water Conservation and Drought Contingency Plan for the City of Kilgore shall be adhered to by all persons affected thereby, including but not limited to all residents, citizens and inhabitants, and utility customers of the City of Kilgore.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or

circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Kilgore, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 7. The City Clerk of the City of Kilgore shall certify to the adoption of this ordinance, and cause the same to be published as required by law; and this ordinance shall take effect and be in force from and after its approval as required by law.

PASSED AND APPROVED this the 24th day of September, 2019

CITY OF KILGORE, TEXAS



R.E. SPRADLIN III, MAYOR

ATTEST:



RACHEL ROWE, CITY CLERK

APPROVED AS TO FORM AND EFFECT:



ROBERT G. SCHLEIER, JR.
CITY ATTORNEY

