



CITY OF PALESTINE

WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN 2019



504 N. Queen St.
Palestine, Texas 75801
(903) 731-8400
cityofpalestinetx.com

CCN# 12135
PWS# 0010001



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

Contents

DECLARATION OF POLICY, PURPOSE, AND INTENT _____	3
AUTHORIZATION _____	3
APPLICATION _____	3
OVERVIEW _____	4
INTRODUCTION _____	5
PUBLIC EDUCATION AND INFORMATION _____	7
WATER WASTE AND NON-ESSENTIAL USES _____	8
UTILITY PROFILE _____	9
GOALS AND TARGETS _____	13
SCHEDULE AND TRACKING _____	14
UNIVERSAL METERING AND RECORDS MANAGEMENT _____	14
METER TESTING, REPAIR, AND REPLACEMENT _____	15
LEAK DETECTION, REPAIR, AND WATER LOSS CONTROL _____	15
WATER RATE STRUCTURE _____	15
PLUMBING FIXTURES _____	16
WATER-CONSERVING LANDSCAPING _____	17
CUSTOMER SERVICE INSPECTIONS _____	18
ADDITIONAL WATER CONSERVATION STRATEGIES _____	18
DROUGHT TRIGGERS _____	19
WATERING SCHEDULE _____	21
RESPONSE STAGES _____	22
VARIANCES _____	24
WHOLESALE CONTRACTS _____	25
ENFORCEMENT _____	26
COORDINATION WITH REGIONAL WATER PLANNING GROUP _____	27
ORDINANCE _____	28

DECLARATION OF POLICY, PURPOSE, 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, fire protection, 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 Palestine hereby adopts the following practices, regulations, and restrictions on the delivery, use, and consumption of water by City Ordinance.

Water uses regulated or prohibited under this Water Conservation and Drought Contingency Plan are considered to be wasteful, non-essential, or discretionary. Uses of water considered wasteful or violations of restricted uses during times of water shortage or other emergency water supply conditions subjects the offender(s) to penalties as defined in the Implementation and Enforcement section of this Plan.

AUTHORIZATION

The City Manager or his/her designee is hereby authorized and directed to implement this Water Conservation Plan and the applicable provisions of this Drought Contingency 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.

APPLICATION

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

OVERVIEW

HISTORY

The City of Palestine (the City) was founded in 1846 and was created by the Texas Legislature to serve as the County Seat for Anderson County. With the arrival of the railroad in the 1970s, the City's population grew significantly. Water service is now provided to over 17,000 retail customers as well as 2 wholesale public water systems.

GEOGRAPHY

Palestine is located in the Neches River Basin within 19.6 square miles in the center of Anderson County. The City is intersected by U.S. Highways 79, 84, and 287, as well as Texas State Highways 19 and 155. The City is within the geographical boundaries of the Neches and Trinity Valleys Groundwater Conservation District, The Region I East Texas Water Planning Group, and TCEQ Region 5.

The geography and general layout of the city has important impacts upon the utility. The long linear configuration of the City presents special difficulties in providing utility infrastructure. For this reason, the city is divided into four pressure planes. They are the Central Pressure Plane, the North Pressure Plane, the South Pressure Plane and the West Pressure Plane.

CLIMATE

An average annual rainfall for Palestine is 45.1 inches with the month of June typically having the most rainfall (4.7 inches). Monthly temperature averages range from 47.4°F in January to 83.0°F in August.

WATER RESOURCES

The City of Palestine obtains water from the Neches River through a contract with Upper Neches River Municipal Water Authority (UNRMWA), the water is stored in Lake Palestine. Two ground water wells are available for emergency use.



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

INTRODUCTION

OBJECTIVE

The objective of Palestine's Water Conservation and Drought Contingency Plan is to increase efficiency of water use and reduce water demands without adversely affecting the population and economic growth of the City. The fundamental strategy for this Plan is to promote and publicize water conservation and drought management to meet our water conservation goals and also respond appropriately to water supply concerns or emergencies.

The City of Palestine recognizes that the amount of water available to the City and its water utility customers may be limited and subject to depletion during periods of extended drought. Representing the best interests of the citizens of Palestine, Texas, the City deems it expedient and necessary to establish and maintain certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

STATUTORY AND RULE REQUIREMENTS

Texas Water Code §13.146. WATER CONSERVATION PLAN. The commission shall require a retail public utility that provides potable water service to 3,300 or more connections to submit to the executive administrator of the board a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices, as defined by Section 11.002, or other water conservation strategies.

Title 30 Texas Administrative Code, Chapter 288.30(10)(A) Water conservation plans for retail public water suppliers. For retail public water suppliers providing water service to 3,300 or more connections, a water conservation plan meeting the minimum requirements of Subchapter A of this chapter and using appropriate best management practices must be developed, implemented, and submitted to the executive administrator of the Texas Water Development Board not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

Texas Water Code §11.1272. ADDITIONAL REQUIREMENT: DROUGHT CONTINGENCY PLANS FOR CERTAIN APPLICANTS AND WATER RIGHT HOLDERS. (a) The commission shall by rule require wholesale and retail public water suppliers and irrigation districts to develop drought contingency plans consistent with the appropriate approved regional water plan to be implemented during periods of water shortages and drought.

Title 30 Texas Administrative Code, Chapter 288.30(5)(A) For retail public water suppliers providing water service to 3,300 or more connections, the drought contingency plan must be submitted to the executive director not later than May 1, 2005. Thereafter, the retail public water suppliers providing water service to 3,300 or more connections shall submit the next revision of the plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

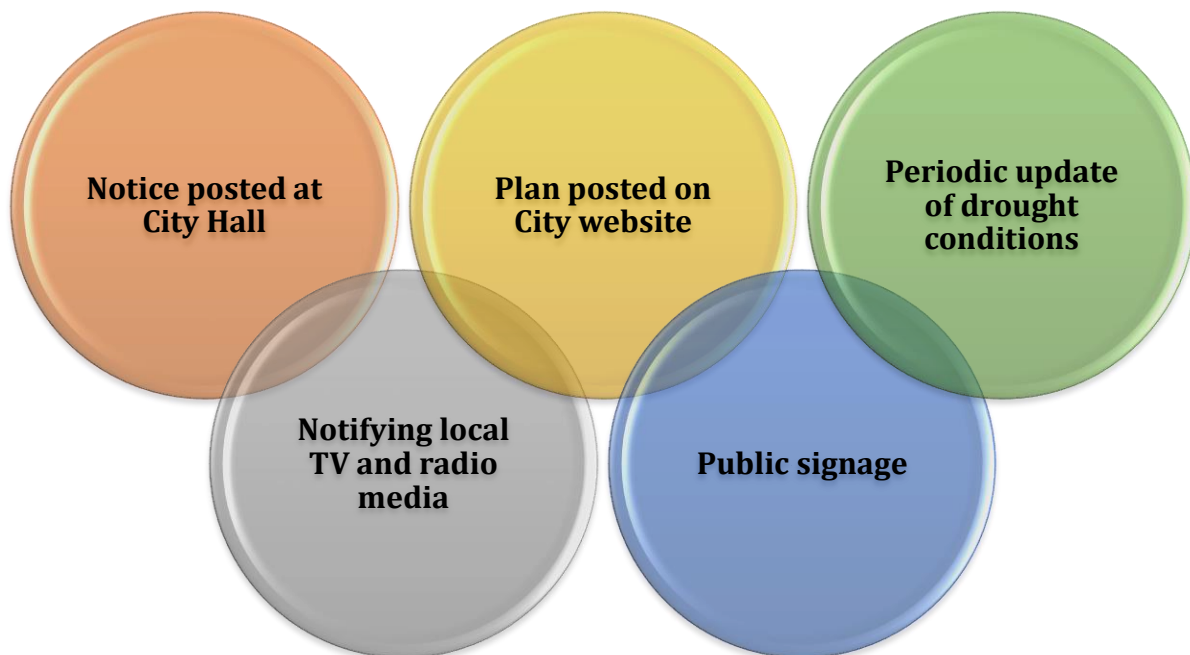
REPORTING REQUIREMENTS

The Texas Water Development Board (TWDB) requires that the City submit a Water Conservation Plan every five years to coincide with the Regional Water Planning Cycle. The TWDB also requires that the city annually submit a water loss audit, water use survey, and a water conservation report.

The Texas Commission on Environmental Quality (TCEQ) requires that the City submit a Drought Contingency Plan and Five-Year Implementation Report every five years to coincide with the Regional Water Planning Cycle.

PUBLIC EDUCATION AND INFORMATION

Opportunity for public input is always available at City Council meetings, City events, telephone, and email. The City of Palestine will periodically provide the public with information about this Plan, including information, and/or notification, about ongoing water conservation efforts, the conditions under which each drought stage would be initiated or terminated, and the drought response measures to be implemented in each stage. This information will be provided by means of posted notices, local radio and television announcements, public signage, and other public activities.



WATER WASTE AND NON-ESSENTIAL USES

WATER WASTE

The following shall be unlawful at any time of the year for any person, firm, corporation, business, or other entity:

- Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet.
- Operating a permanently installed irrigation system with a broken head, a head that is out of adjustment, or a head that is misting due to high water pressure.
- Irrigation or landscape watering during any form of precipitation.
- Allowing water to run off a property and form a stream of water in a street for a distance of fifty (50) feet or greater.
- Allowing water to pond in a street or parking lot to a depth of greater than one quarter ($\frac{1}{4}$) of an inch.

NON-ESSENTIAL/DISCRETIONARY USES OF WATER

The following uses of water are considered non-essential, or discretionary uses of water:

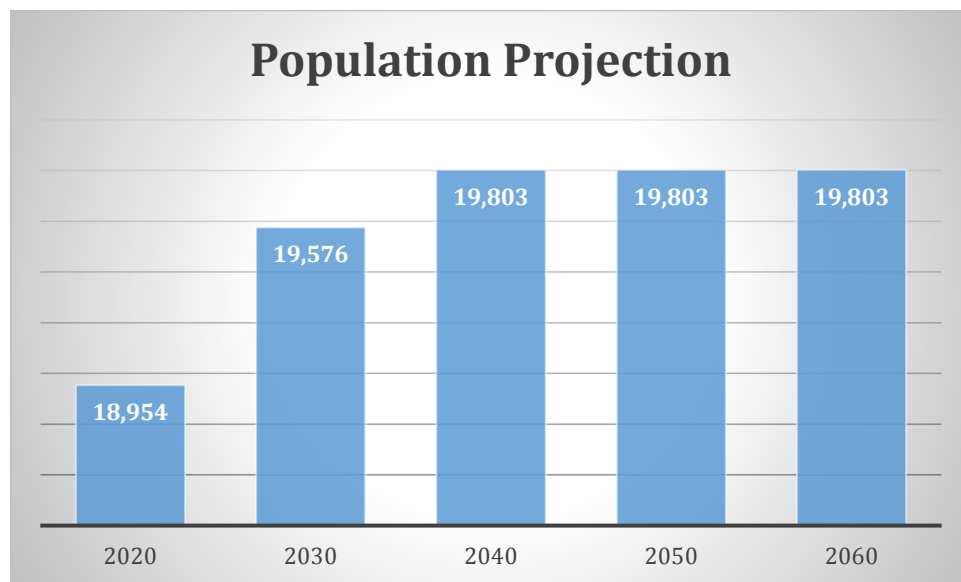
- Irrigation of landscape areas including yards, parks, athletic fields, and golf courses.
- Use of water to wash any motor vehicle, boat, trailer, airplane, or other vehicle.
- Use of water to wash down any sidewalks, walkways, driveways, parking lots, athletic courts, or other hard surfaced areas.
- Use of water to wash down buildings or other structures for purposes other than immediate fire protection.
- Flushing gutters or permitting water to run or accumulate in any gutter or street.
- Use of water to fill, refill, or add to any swimming pools or Jacuzzi type pools.
- Use of water in an outside fountain or pond for aesthetic or scenic purposes, except where necessary to support aquatic life.
- Any outdoor recreational use of water.

UTILITY PROFILE

A completed TWDB Utility Profile form is attached as Appendix A. Data is managed by utility staff on a daily basis and organized to be able to track water production and deliveries to the highest practicable levels.

POPULATION

The population of the City has remained between 17,000 and 18,000 for the previous five years.



The approved 2021 TWDB and Region I population projections predict that the City will have over 19,000 residents by 2040.

WATER/WASTEWATER SYSTEM

The Water Utility System consists of over 250 miles of distribution lines with over 7,000 connections and over 900 fire hydrants. The City maintains nine ground/elevated storage tanks, which when full, contain 4,350,000 gallons of water. Up to 10 million gallons per day can be distributed throughout the distribution system.



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

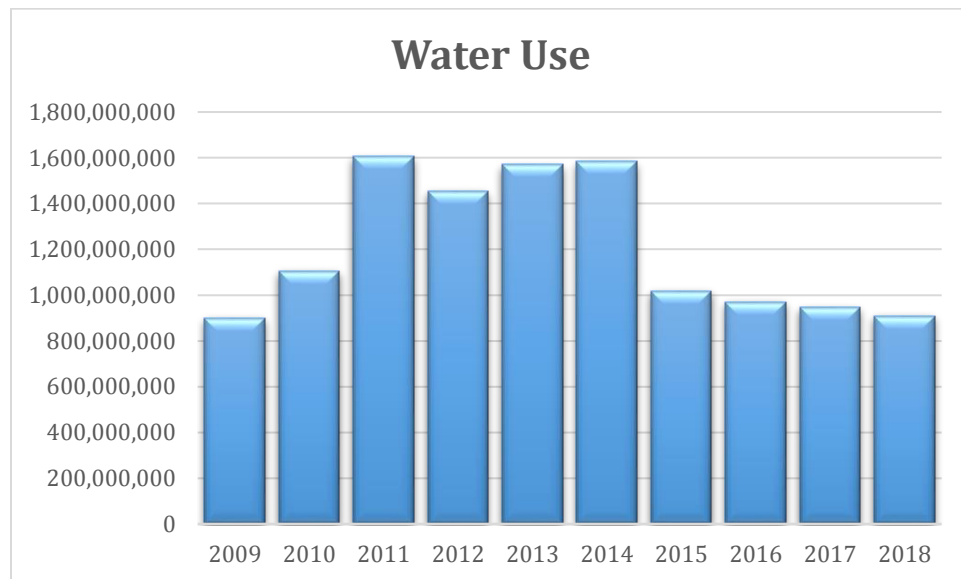
Wastewater treatment is provided at the Town Creek Wastewater Treatment Plant. It can treat 4.7 million gallons per day. This department also maintains twenty-five (25) lift stations at various locations throughout the City. The EPA requires that the City have a Pretreatment Program to protect the collection system, and plant operating staff. Wastewater personnel conduct all activities related to this program.

WATER SUPPLY

The City of Palestine has rights to twenty-five (25) million gallons per day of water purchased under contract from the Upper Neches River Municipal Water Authority (UNRMWA) and diverted from Lake Palestine. Two ground water wells are available for emergency use.

WATER DEMANDS

Over the previous 10 years, the City has averaged 1.2 billion gallons of water use annually.

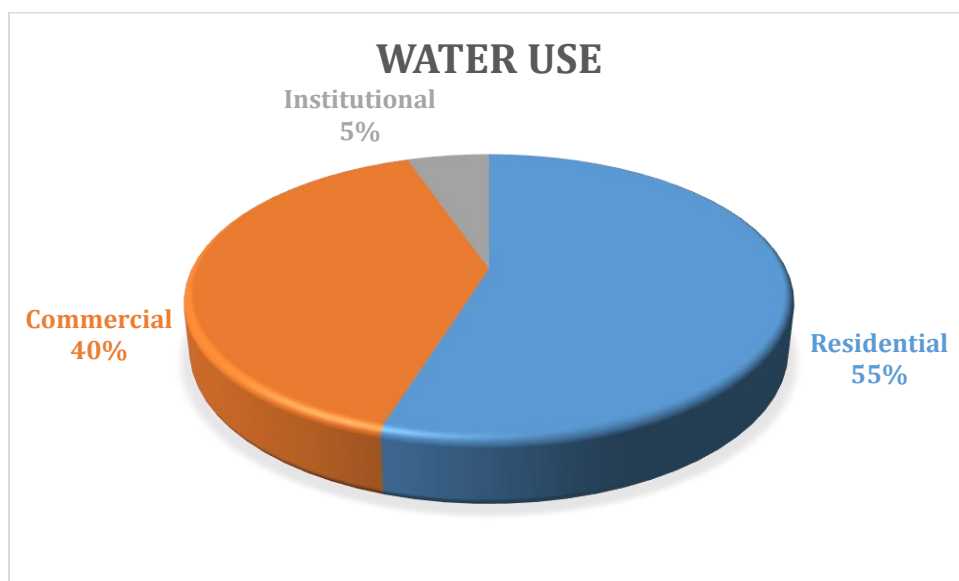
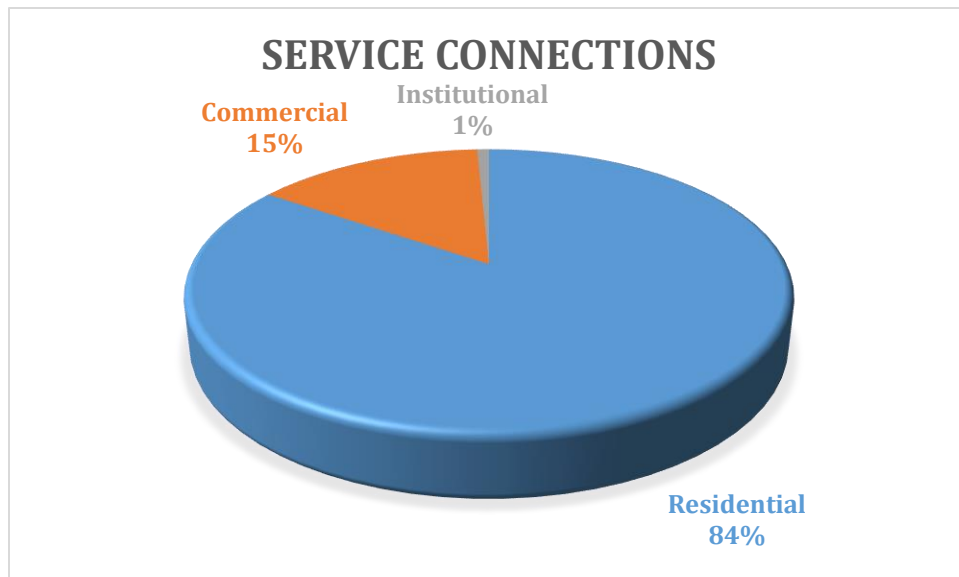




WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

WATER USE SECTORS

The distribution of retail connections and water use within Palestine is shown below. 84% of connections are Residential, 15% are Commercial, and 1% are Institutional. 55% of water use is Residential, 40% is Commercial, and 5% is Institutional.

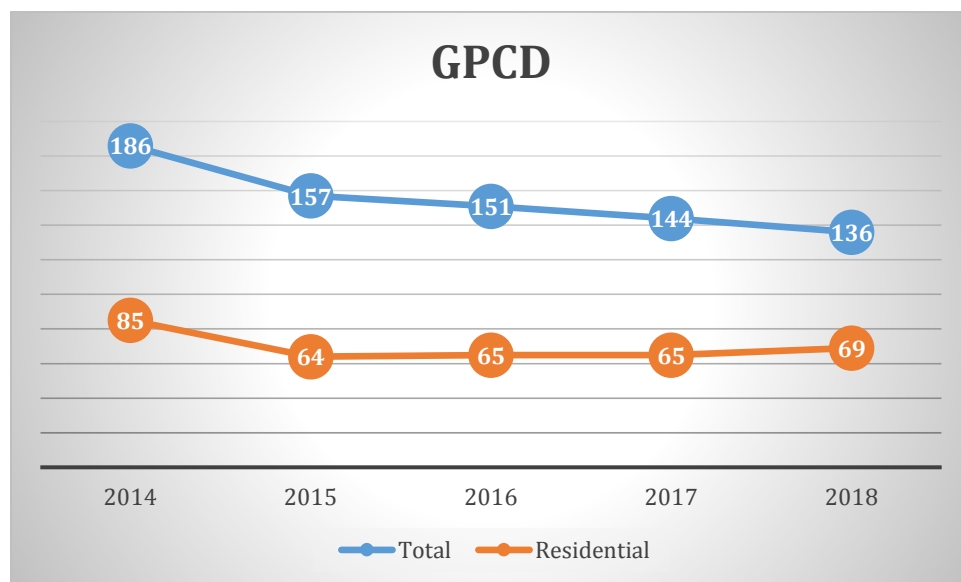




WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

PER CAPITA WATER USE

Per capita water use is generally expressed in gallons per customer per day (GPCD) and is the average amount of water used by each person in the population served by a water utility. Variables that can influence GPCD include the relative amount of non-residential water uses, the rate and type of growth, economics, climatic conditions, and demographics. For the previous 5 years, the total and residential GPCD for the City is shown below.

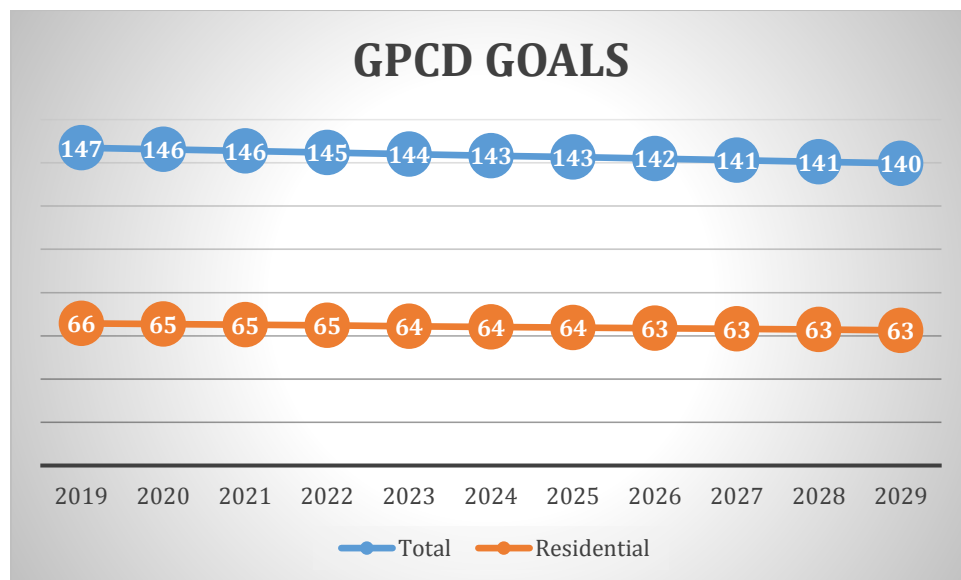




WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

GOALS AND TARGETS

The City of Palestine's per capita water conservation goals for the next 10 years are based upon the Texas Water Conservation Implementation Task Force's recommendation of a reduction in per capita water use by 0.5% per year. Per capita usage and water loss goals, based upon the previous five year average, are shown below.



SCHEDULE AND TRACKING

The City Director of Utilities will act as the Administrator of the water conservation program. The Administrator will oversee the execution and implementation of all elements of the program. The Administrator is responsible for maintaining adequate records for program verification.

The Administrator will monitor the progress of the Water Conservation Plan, using information from water utility records and staff. Additionally, the Administrator will be responsible for submission of an annual report to the TWDB on the progress, and any changes to, the Water Conservation Plan.

UNIVERSAL METERING AND RECORDS MANAGEMENT

The city employs metering devices on all source water diversions. The meter meters are capable of measuring the amount of water diverted/pumped to within plus or minus 5%. In addition, the city currently meters all wholesale water supply connections, using meters that are capable of measuring accurately within plus or minus 5%.

The City requires all retail connections to be metered, including public uses except for firefighting and the unidirectional system flushing program. Neither of these programs will allow for the restrictions imposed by a meter. In the case of firefighting, the time to set up metering and the flow restriction imposed by such is not acceptable. In the case of the unidirectional flushing program, we are trying to achieve maximum velocity on the water stream to create a scrubbing effect on the pipe walls making metering impractical. However fire hydrant flow rates are used to measure the usage. The fire hydrants are flow tested every four years.

METER TESTING, REPAIR, AND REPLACEMENT

The City replaced all the meters in the system with AMR (automatic meter reading systems) in the year 2004. This program has been in effect for 15 years. Because of the replacement program, a repair program is not necessary at this time.

LEAK DETECTION, REPAIR, AND WATER LOSS CONTROL

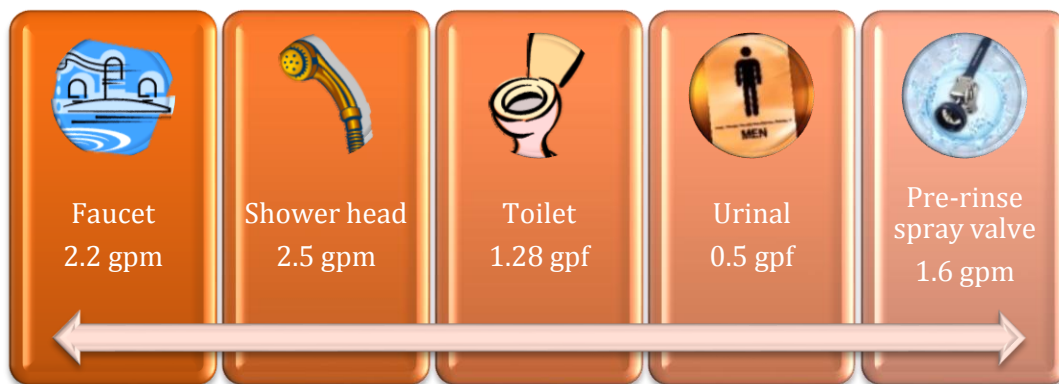
Palestine operates and maintains the water transmission system within the city. In order to maintain water delivery service and to reduce and control unaccounted for water, Palestine staff routinely visually inspect the transmission system to identify abnormal conditions indicating leaks. The staff is equipped to respond and repair equipment and pipeline breaks or employ contract assistance as required. Water loss has averaged 17% over the previous five years but was 6.99% in 2018. The City's goals for water loss over the next five and ten years are to maintain an annual water loss of 15% or less.

WATER RATE STRUCTURE

Palestine has a non-promotional rate structure for water service that is cost based and does not encourage the use of water. The city's current water rates can be verified through the most current fee schedule. Currently, the City charges residential accounts \$3.70 per thousand for the first 2,000 gallons to 20,000 gallons and \$4.53 per thousand over 20,000 gallons. Commercial accounts are charged \$33.00 for the first 2,000 gallons and \$4.00. for each additional 1,000 gallons. Commercial rates are \$3.95 per thousand for the first 2,000 gallons to 20,000 gallons and \$4.71 per thousand over 20,000 gallons.

PLUMBING FIXTURES

The State of Texas has recently adopted more stringent water saving performance measures for plumbing fixtures, found in the Texas Health & Safety Code Chapter 372. The following maximum flow standards are subsequently listed in the Texas Administrative Code Title 30 Chapter 290 Subchapter G:



Customers in existing buildings that do not have water saving plumbing fixtures are encouraged to retrofit their old plumbing fixtures. New construction, including remodeling of existing structures, must comply with City and State plumbing fixture standards. There are a wide assortment of water efficient fixtures, clothes and dish washers that provide the same performance, but use less water. A water efficient home can save more than 20% of its annual indoor water use.

WATER-CONSERVING LANDSCAPING

Water-conserving landscaping is a development concept that encourages residents to adopt low- water- using landscaping principles and methods for use around the home. The same concepts can be applied to other landscaped areas as well, including parks and other public places.

A popular method of reducing water use for landscape irrigation is to encourage residents to use the following techniques for landscaping. The following are generally adopted principles when planning a water efficient yard:

- Planning and design. During this step an appropriate plan is developed considering such variables as climate, existing vegetation, intended use of the space, and topographic features.
- Soil analysis. Examine the soil types covering the whole site.
- Appropriate plant selection. Plants should be selected which are native to the area or are adaptive to the site.
- Practical turf areas. Plan where turf areas should be located and consider increasing the area of decks, porous paving, paths, and mulched planting beds to reduce turf.
- Efficient irrigation. Landscaped areas should only be watered as needed and then usually during the early morning or late evening to avoid water lost due to evaporation, keeping in mind some plant species may experience mold and/or fungus growth if watered at night.
- Use of mulches. A three- to four-inch layer of mulch should cover all exposed soil areas and be replenished twice a year.
- Appropriate maintenance. Keep the yard well maintained to reduce the use of fertilizer, chemicals, and water.

CUSTOMER SERVICE INSPECTIONS

A customer service inspection certification as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, § 290.46, shall be completed prior to providing continuous water service to new construction or any existing service when the city has reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any material improvement, correction, or addition to the private plumbing facilities. The existence of a serious threat to the integrity of the public water supply shall be considered sufficient grounds for immediate termination of water service.

ADDITIONAL WATER CONSERVATION STRATEGIES

The city will select any combination of the following strategies, in addition to those strategies listed above, if they are necessary to achieve the stated water conservation goals of this Water Conservation Plan. The TCEQ may also require that any of the following strategies be implemented by the city if the TCEQ determines that the strategy is necessary to achieve the goals of this Water Conservation Plan. The additional strategies that may be implemented are:

- Revision of water rates to promote increased water conservation;
- Additional programs to encourage the retrofit of water-conserving plumbing fixtures in existing structures;
- Wastewater reuse and/or recycling of wastewater and/or greywater;
- A program for pressure control and/or reduction in the distribution system and/or for customer connections;
- Any other conservation practice, method, or technique which the city shows to be appropriate to achieving the stated goal or goals of this Water Conservation Plan.

DROUGHT TRIGGERS

The Mayor, 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. Most trigger conditions for Palestine will be qualitative rather than quantitative. Particular attention, however, must be devoted to several measurable parameters: the rate of total water usage, the levels of water in the ground and elevated storage tanks, the quantity and quality of water in Lake Palestine, and the river level, along with the duration of critical values for these parameters.

In establishing trigger conditions, it is necessary to consider the various events which could disrupt or impair water service to one or more parts of the system. Most events would cause only localized problems or slight reductions in the level of service. Various events which could result in water shortages or reduction in service include the following:

- Water Supply- Power failure involving pumping station, treatment plant, and/or wells; treatment unit, pump, or other equipment failures; contamination of surface and/or ground water; severe lowering of water level in river and/or aquifer; future exports of large volumes of water to other river basins.
- Water Transmission- Transmission line breaks on the 27" line from the river to the plant, on the 27" transmission line from the plant to the distribution system, or on various lines which are the sole connections for outlying portions of the system including wholesale customers.
- Storage- Structural failure or contamination in ground or elevated storage tanks.
- Treatment- Failure (or contamination) in the mixing, clarifiers, or filters in the water plant, all feed systems for chemicals, or several of the in-plant pumps; also, extended failure of the sludge removal facilities in the plant; and failure of chlorination equipment in one or both wells.
- Service Pumping- Power or equipment failure; contamination.
- Distribution System- Major water line breaks; heavy demands for firefighting; contamination.



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

STAGE 1 - MILD DROUGHT

Demand exceeds 6 MGD
for 5 days

Water levels in tanks are
below 60% for 5 days

UNRMWA Stage 1



STAGE 2 - MODERATE DROUGHT

Demand exceeds 8 MGD
for 5 days

Water levels in tank fall
below 30%

UNRMWA Stage 2



STAGE 3 - SEVERE DROUGHT

Demand exceeds 10 MGD
for 5 days

Significant production or
distribution limitations

UNRMWA Stage 3



STAGE 4 - EMERGENCY

Major water production or
distribution system limitations

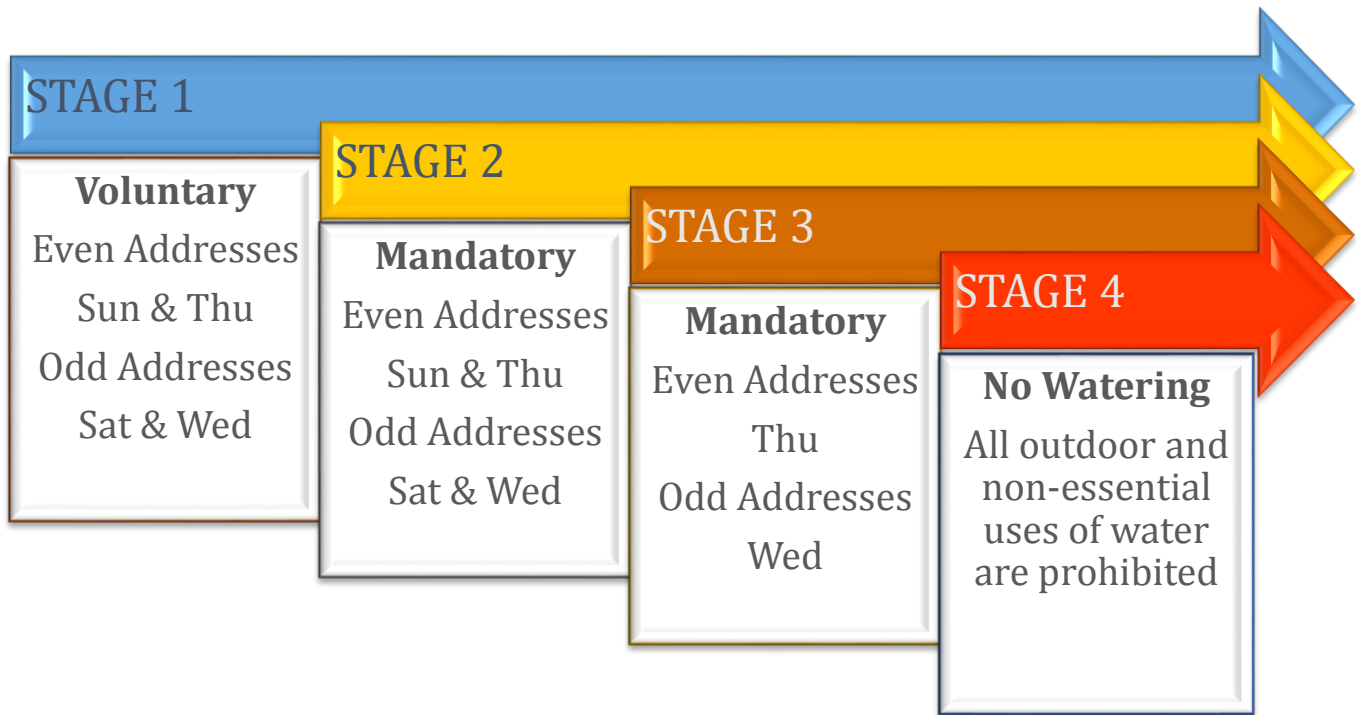
Natural or man-made
contamination of the water
supply source

System outage due to failure of
major water system
components

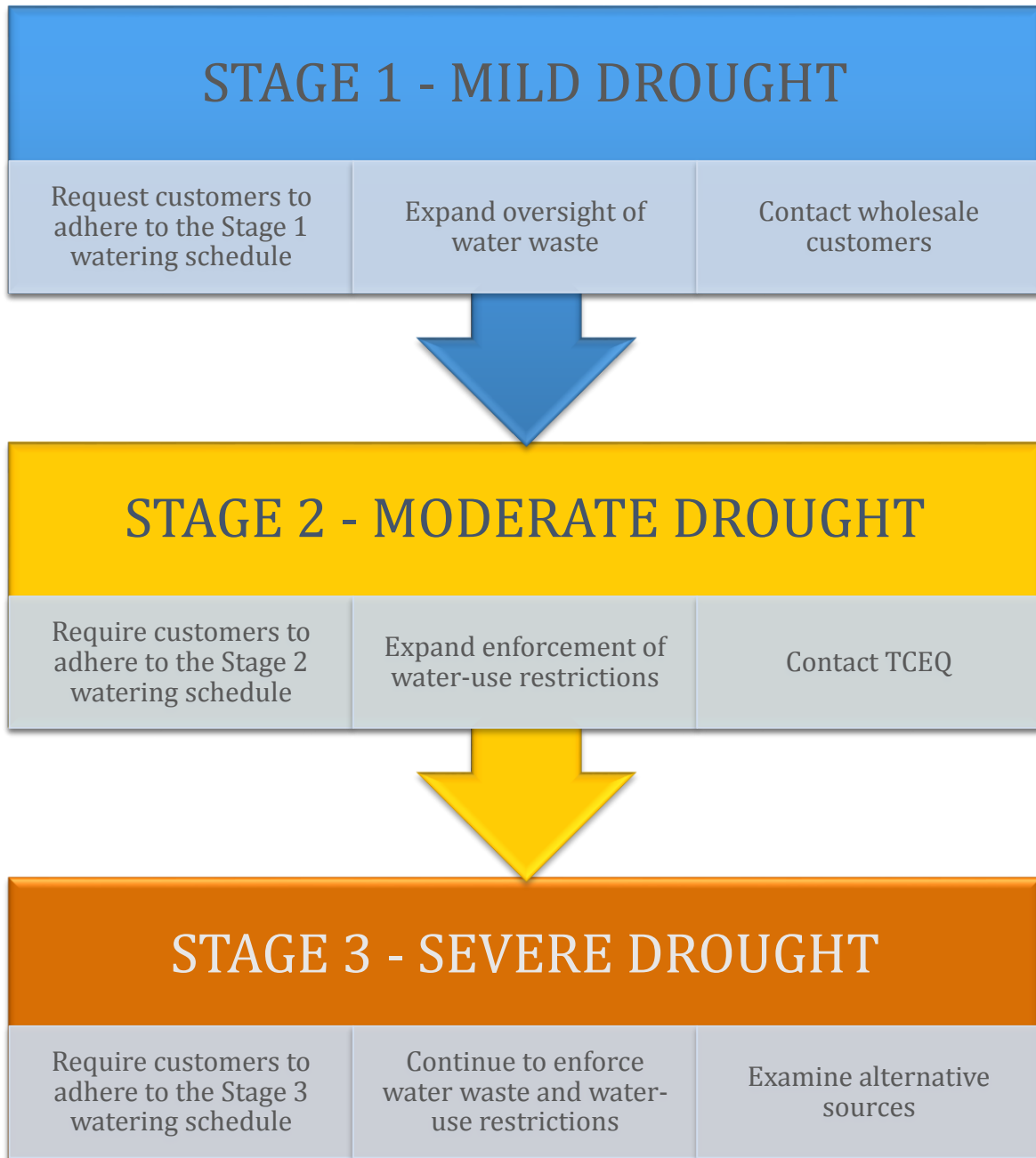


WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

WATERING SCHEDULE



RESPONSE STAGES



EMERGENCY CONDITIONS

In the event of an identified water shortage declaration, the City will distribute water to wholesale customers according to Texas Water Code, §11.039* and initiate water allocation to municipal water customers.

In the event of a contamination event, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified immediately. In the event of a backflow incident, loss of pressure, or an Acute Maximum Contaminant Level coliform violation, a Boil Water Notice will be implemented as prescribed in 30 TAC Chapter 290.

In the event of a catastrophic failure due to natural or man-made events, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified.

In the event of an emergency loss of water supply, the city will consider purchases of water by the truckload or in bottles for the health and public safety of the City's residents.

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:

1. 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.
2. 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 of Palastine within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by City Manager or his/her designee, and shall include the following:

1. Name and address of the petitioner(s).
2. Purpose of water use.
3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
4. 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.
5. Description of the relief requested.
6. Period of time for which the variance is sought.
7. 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.
8. Other pertinent information.



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

WHOLESALE CONTRACTS

The City of Palestine will include a requirement in every water supply contract entered into or renewed after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of this chapter. If the 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 applicable provisions of Title 30 Texas Administrative Code, Chapter 288.

The City of Palestine will include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

ENFORCEMENT

Whoever violates any provision of this chapter for which another penalty is not specifically provided, shall be punished as set forth by City Ordinance.

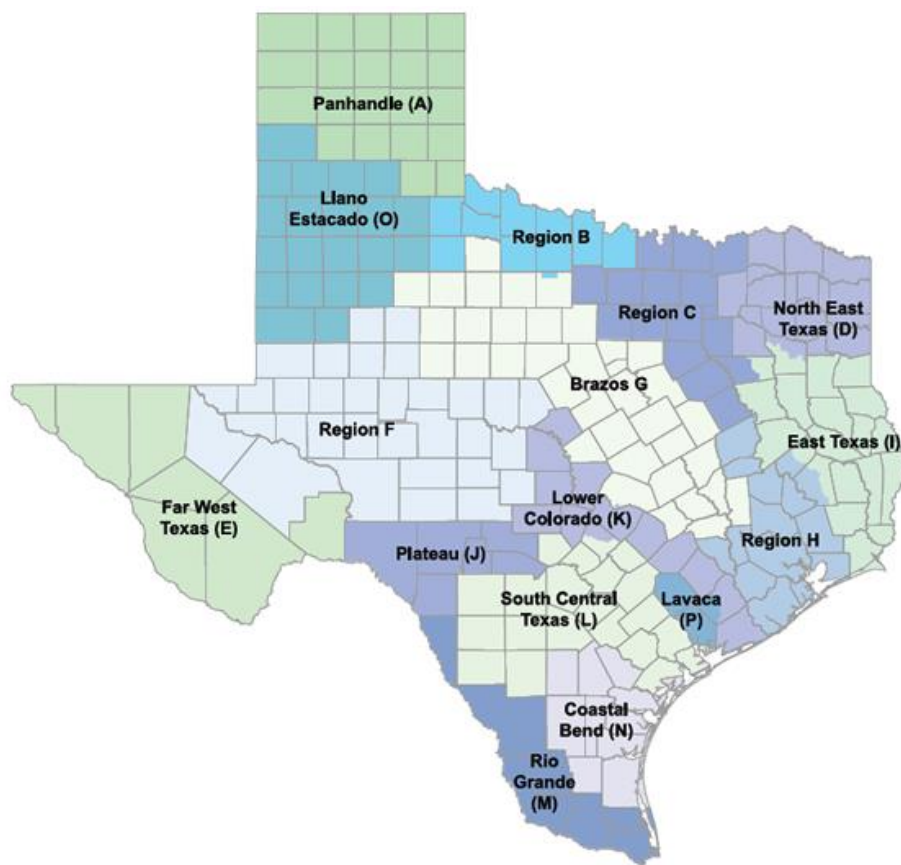
- (1) No person shall knowingly or intentionally allow the use of water from city for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Mayor, or his/her designee, in accordance with provisions of this Plan.
- (2) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than \$200.00 and not more than \$2,000. Each day that one or more of the provisions is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of these sections, the Mayor 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 reconnection charge and any other costs incurred by the city in discontinuing service. In addition, suitable assurance must be given to the city that the same action shall not be repeated while the Drought Contingency Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.
- (3) 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.



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

COORDINATION WITH REGIONAL WATER PLANNING GROUP

The service area of the City of Palestine is located within the Region I – East Texas Water Planning Group and the Utility will provide a copy of this Plan to the Planning Group.





WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

ORDINANCE

ORDINANCE NO. O-14-19

AN ORDINANCE OF THE CITY OF PALESTINE, TEXAS, ADOPTING A WATER CONSERVATION & DROUGHT CONTINGENCY PLAN; ESTABLISHING DATA, INFORMATION, AND POLICY FOR WATER CONSERVATION PROGRAMS; CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

- WHEREAS,** the City of Palestine, 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;
- WHEREAS,** Section 13.146 of the Texas Water Code and applicable rules of the Texas Water Development Board require a retail public utility that provides potable water service to 3,300 or more connections to submit to the executive administrator of the board a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices as defined by Section 11.002, which defines “conservation” as those practices, techniques, and technologies that will 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 water supply is made available for future or alternative uses;
- 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;
- WHEREAS,** Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan; and
- WHEREAS,** as authorized under law, and in the best interests of the citizens of Palestine, Texas, the City Council deems it expedient and necessary to establish certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

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



WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

SECTION 1.

That the City of Palestine, Texas Water Conservation & Drought Contingency Plan 2019 attached hereto and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City

SECTION 2.

That all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

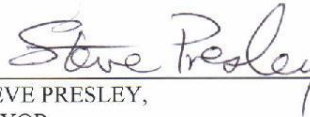
SECTION 3.

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 or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4.

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Palestine, Texas, at a regular meeting held on this the 22nd day of April, 2019.


STEVE PRESLEY,
MAYOR

ATTEST:

APPROVED AS TO FORM:


TERESA HERRERA,
CITY SECRETARY


JEFF HERRINGTON
INTERIM CITY ATTORNEY

