



**Town of Trophy Club Public Improvement District
Public Water System ID No. 0160273
Drought Contingency & Emergency
Water Management Plan**

DRAFT FOR CONSIDERATION APRIL 21, 2014

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Public Water System ID No. 0160273

Section I: Introduction and Objectives

The purpose of this Water Management and Drought Contingency Plan (subsequently referred to as the Plan) is as follows:

- To effectively manage water supply while ensuring that the needs of all residents and customers of Trophy Club are adequately addressed
- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions

TCEQ rule Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.1 (4) defines a drought contingency plan as "a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies." TCEQ rules governing development of and minimum requirements for drought contingency plans for municipal water suppliers and wholesale water suppliers are contained in Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 and Rule 288.22, respectively.

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

Section II: Public Involvement

Opportunity of the public to provide input into the preparation of the Plan was provided by the Town of Trophy Club (subsequently referred to as the Town) by means of public meeting held on April 21, 2014. Additionally, the Plan is posted on the Town website.

Section III: Public Education

The Town, in cooperation with the Trophy Club Municipal Utility District No. 1 (subsequently referred to as the "District") will inform and educate the public about the Plan through the following means:

- Preparing fact sheets describing the Plan and making these available online, through bill inserts, direct mail, and postings in public locations.
- Posting a copy of the Plan on the Town website.
- Using the Connect CTY notification system to inform customers of Plan-related events through e-mail, text, and telephone.

At any time the Plan is initiated, terminated, or the stage changes, customers will be notified through the above methods as well as through press releases to the media.

Section IV: Coordination with Regional Water Planning Groups

The Town purchases water from the District which purchases water from the City of Fort Worth, and District mixes the water from Fort Worth with water from several water wells of the District. In accordance with Section 2.3 of the wholesale contract between the City of Fort Worth and the District, the District will institute and apply the same rationing, conservation measures and/or restrictions for the use of water by

its customers for so long as the District continues to purchase water from the City of Fort Worth. Consequently, in accordance with the wholesale contract for water supply and operational services between the Town and MUD1, Town will institute and apply the same rationing, conservation measures and/or restrictions for the use of water by its customers as the District imposes for so long as the Town continues to purchase water from the District.

The service area of the Town is located within the Town of Trophy Club Public Improvement District No. 1 which is serviced by the District and located within Region C: North Texas Municipal Water District. The District will provide a copy of this Plan to the North Texas Municipal Water District and to the City of Fort Worth.

Section V: Application, Initiation, and Termination of Drought and Emergency Response Stages

The provisions of this Plan shall apply to all persons, customers, and property utilizing potable water provided by the Town. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, governmental institutions, and all other legal entities. The Plan does not apply to locations using treated wastewater effluent and/or private wells.

The Plan may be applied to the entire Town or to geographic portions of the Town as necessary. If the Plan is applied only to a limited sector, the boundaries will be defined in terms of roadways, creeks, and other easily distinguishable features.

The Town Manager or his/her designee may order the implementation of a drought response or water emergency stage when one or more of the trigger conditions for that stage is met or upon notification from the District and/or the City of Fort Worth. Initiation of a drought stage requires notification in accordance with Section VI of this Plan.

The Town Manager or his/her designee may order the termination of a drought response or water emergency stage when the conditions for termination are met or at their discretion based on current conditions and likelihood of the need to reinitiate stages. Termination of a drought stage requires notification in accordance with Section VI of this Plan.

Section VI: Notification

A. Notification of the Public: The Town Manager or his/her designee shall notify the public by means of:

1. Publication in newspaper of general circulation;
2. Public Service announcements (cable channel and/or website, marquees, list - serve);
3. Signs posted in public places;
4. Bill inserts and/or direct mailings.

B. Additional Notification: The Town Manager or his/her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

1. Mayor, Town Manager, and Town Council Members;
2. Board of Directors for the District;
3. Fire Chief;

4. TCEQ (Texas Commission on Environmental Quality) (required when mandatory restrictions are imposed);
5. Major water users

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 that 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.

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 Town of Trophy Club.

District: Trophy Club Municipal Utility District No. 1 which provides water, sewer and fire protection services to customers within its boundaries or to customers outside its boundaries by contract with the Town of Trophy Club.

District Manager: The full - time, paid, chief administrator of the District.

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.

Drought: Generally a lack of adequate water to supply needs or replenish supplies used.

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 neither 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. Areas using recycled water or water sources not supplied by the District are excluded.
- 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;
- 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.

Person: Any Person, entity, firm, partnership, association, corporation, company, or organization of any kind.

Rationing: Limiting the amount of water that can be used.

Town Manager: The full - time, paid, chief administrative officer of the Town of Trophy Club, or his designee.

Water: Water taken from the public water supply or distribution system within the boundaries of the District or within an area supplied wholesale water by the District and provided to Town pursuant to the contract between the Town and the District. Water may be potable or non - potable.

Watering Prohibited Times: Outdoor irrigation is prohibited year-round on Mondays. Additionally, outdoor watering is prohibited year-round between the hours of 10:00 a.m. and 6:00 p.m. unless otherwise noted in the Plan.

Section VIII: Year Round Water Management and Conservation Requirements

The Town recognizes the need to promote water conservation as a part of the Town’s overall strategy and future planning efforts. Water conservation practices can extend the life of existing infrastructure, extend the timing for new infrastructure, and reduce the need for added water supply. Extending the time for infrastructure upgrades allows the Town to stabilize rates and prevent economic impacts to customers.

Based on the known benefits of water conservation, the Town is implementing a year-round water management plan that allows for two (2) day per week outdoor irrigation for all customers. Unless the Drought Management Plan is initiated, customers are allowed to perform outdoor watering in accordance with the following schedule:

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
No outdoor watering	Non-residential	Even Residential addresses ending in 0,2,4,6,8	Odd Residential addresses ending in 1,3,5,7,9	Non-residential	Even Residential addresses ending in 0,2 4,6,8	Odd Residential addresses ending in 1,3 5,7,9

Violations of year-round water management requirements are enforceable violations of the District Plan in accordance with Section XI - Enforcement Procedures for Mandatory Water Use Measures.

Section IX: Criteria for Initiation and Termination of Drought Response Stages

The Town Manager or his/her designee shall monitor water supply and/or demand conditions on a monthly basis during non - trigger times and a daily basis during trigger times 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 many conditions. First, because the City of Fort Worth is the primary water provider to the District, the Town will adhere to the current policy of the District and of Fort Worth Water established by the City of Fort Worth, through notification procedures established in the agreement. Second, identified local conditions will be used to implement the stages listed below. Local conditions include known system capacity, time of the year, weather conditions, and staff monitoring of the water supply.

Stage 1 Response Triggers - Water Watch

A. Triggering Conditions

1. Water demand reaches or exceeds 90% of reliable delivery capacity for three (3) consecutive days.
2. Contamination of the City of Fort Worth's water treatment or distribution system.
3. Inadequate delivery capacity by the City of Fort Worth.
4. Failure of or damage to the City of Fort Worth's water supply system.
5. Water demand approaches a reduced delivery capacity for all or part of the system due to supply or production capacity limitation including contamination of the system.
6. Pursuant to requirements established in the agreement with the City of Fort Worth, notification is received requesting initiation of Stage 1 of their Drought Contingency Plan.
7. Conditions within the Town or District's water system that warrant a mild reduction in water usage. These conditions may include loss of supply, storage, or pumping capacity, water main break, or other system failure.

B. Requirements for Termination - Stage 1 may terminate when the District and/or the City of Fort Worth terminates its Stage 1 condition or when the circumstance that caused the initiation of Stage 1 no longer prevails.

C. Goal for Use Reduction for Stage 1 - The goal for water-use reduction under Stage 1 - Water Watch is five percent (5%). If circumstances warrant or if required by the District or by the City of Fort Worth, the Town Manager or his/her official designee can set a goal for greater water use reduction.

D. All Water Users

1. Initiate mandatory restrictions to prohibit non - essential water use as follows:
 - a. Prohibit hosing of paved areas, such as sidewalks, driveways, parking lots, tennis courts, patios, or other impervious surfaces, except to alleviate an immediate health or safety hazard.

- b. Prohibit hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting.
 - c. Prohibit using water in such a manner as to allow runoff or other waste, including:
 - i. Failure to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
 - ii. Operating a permanently installed irrigation system with: (a) a broken head; (b) a head that is out of adjustment and the arc of the spray head is over a street or parking lot; or (c) a head that is misting because of high water pressure; or
 - iii. During irrigation, allowing water (a) to run off a property and form a stream of water in a street for a distance of 50 feet or greater; or (b) to pond in a street or parking lot to a depth greater than one-quarter of an inch.
 - iv. Allowing or causing an irrigation system or other lawn watering device to operate during any form of precipitation or when temperatures are at or below 32 degrees Fahrenheit.
2. Limit landscape watering with sprinklers or irrigation systems at each service address to a twice per week schedule as outlined below. This includes landscape watering of parks, golf courses, and sports fields.
- a. Residential addresses ending in an even number (0, 2, 4, 6, or 8) may water on Wednesdays and Saturdays.
 - b. Residential addresses ending in an odd number (1, 3, 5, 7 or 9) may water on Thursdays and Sundays.
 - c. All non-residential locations (apartment complexes, businesses, industries, parks, medians, etc.) may water on Tuesdays and Fridays.
3. No irrigation is permitted on Mondays. Watering with a sprinkler or irrigation system is prohibited between the hours of 10:00 a.m. and 6:00 p.m. every day. Watering with a soaker hose or drip irrigation is permitted at any time or day except Mondays. Watering with a hand-held hose or hand-held bucket can be done at any time or any day.
4. Exceptions:
- a. Lawns, landscaping, and foundations may be watered up to two hours on any day except Mondays and cannot occur between the hours of 10 a.m. and 6:00 p.m. If performed under these circumstances, watering must be performed using a handheld hose, soaker hose, drip irrigation system, or tree bubbler. Foundation watering system must be placed within 24 inches of the foundation and cannot produce a spray of water above the ground.
 - b. Newly installed shrubs (first year) and trees (two years) may be watered up to two hours on any day except Monday by handheld hose, drip irrigation, a soaker hose or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.
 - c. Establishing new turf is discouraged. If hydro mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, watering restrictions for the first 30 days while it is being established are reduced to allow watering any day except Monday and can be performed at any time. A variance permit must be obtained in accordance with Section X of this plan. After expiration of the variance permit, the watering restrictions set forth in this stage apply. This exception for new turf does not include over seeding with rye or seasonal grasses since turf already exist.

- d. Golf courses may water greens and tee boxes as necessary, however watering must be done before 10 a.m. and after 6 p.m. Golf courses are encouraged to reduce potable water use by 5%.
 - e. Skinned areas of sports fields may be watered as needed for dust control.
 - f. Athletic fields (playing fields within a stadium only – not surrounding landscaping) may be watered as needed, except on Mondays, to maintain league standards. Sports fields are encouraged to reduce potable water use by 5%.
5. All users are encouraged to reduce the frequency of the filling, draining, or refilling of swimming pools, wading pools, hot tubs, and Jacuzzi type pools except to maintain structural integrity, proper operation and maintenance, and/or to alleviate an issue that poses a public safety risk.
 6. All users are encouraged to use native and adapted drought tolerant plants in landscaping.
 7. Washing of any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle shall be limited to the use of a hand-held bucket or a hand-held hose equipped with a positive-pressure shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Companies with an automated on-site vehicle washing facility may wash their vehicles at any time. Further, such washing may be exempt from these requirements if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

E. Commercial Customers

1. All actions listed above for all water users apply to commercial and industrial users.
2. Hotels, restaurants, and bars are encouraged to serve drinking water to patrons on an “on demand” basis.
3. Hotels are encouraged to implement laundry conservation measures by encouraging patrons to reuse linens and towels.
4. Car washing facilities must keep equipment in good working order, which should include regular inspections to ensure there are no leaks, broken, or misdirected nozzles, and that all equipment is operating efficiently.
5. All commercial and industrial customers are encouraged to inspect and repair irrigation systems.

F. Town, District and Other Local Government Responsibilities During Stage 1 - In addition to the actions listed above:

1. Review conditions and problems that caused Stage 1 and take corrective action.
2. Increase public education efforts on ways to reduce water use.
3. Increase enforcement efforts.
4. Intensify leak detection and repair efforts.
5. Audit all local government irrigation systems to ensure proper condition, settings, and operation.

6. Identify and encourage voluntary reduction measures by high-volume water users.
7. Reduce non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.
8. The District Manager or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures.

Stage 2 Response Triggers – Water Warning

A. Triggering Conditions for Stage 2

1. Water demand reaches or exceeds 95% of reliable delivery capacity for three (3) consecutive days. The delivery capacity could be District-wide or in a specified portion of the system.
2. Contamination of the water supply source(s) or water supply system.
3. Demand for all or part of the delivery system equals or exceeds delivery capacity because delivery capacity is inadequate.
4. Pursuant to requirements established in the agreement with the City of Fort Worth, notification is received requesting initiation of Stage 2 of their Drought Contingency Plan.
5. Conditions within the District's water system that warrants a moderate reduction in water usage. These conditions may include loss of supply, storage, or pumping capacity, water main break, or other system failure.

B. Requirements for Termination - Stage 2 may terminate when the District or the City of Fort Worth terminates its Stage 2 condition or when the circumstance that caused the initiation of Stage 2 no longer prevails.

C. Goal for Use Reduction for Stage 2 - The goal for water use reduction under Stage 2 – Water Warning is to decrease use by 10 percent (10%). If circumstances warrant or if required by the District or the City of Fort Worth, the Town Manager or his/her official designee can set a goal for greater water use reduction.

D. All Water Users - Continuation of restrictions imposed in Stage 1 and:

1. Limit landscape watering with sprinklers or irrigation systems to a once per week schedule at each service address as determined by the Town Manager or his/her designee. This includes landscape watering at parks, golf courses, and sports fields.
2. Exceptions:
 - a. Lawns, landscaping, and foundations may be watered up to two hours on any day except Mondays and cannot occur between the hours of 10 a.m. and 6:00 p.m. If performed under these circumstances, watering must be performed using a handheld hose, soaker hose, drip irrigation system, or tree bubbler. Foundation watering system must be placed within 24 inches of the foundation and cannot produce a spray of water above the ground.
 - b. Newly installed shrubs (first year) and trees (two years) may be watered up to two hours on any day except Monday by handheld hose, drip irrigation, soaker hose or tree bubbler. Tree watering is limited to an area not to exceed the drip line of a tree.

- c. Golf courses may water greens and tee boxes as needed to keep them alive, however watering must be done before 10 a.m. and after 6 p.m. and cannot be done on Mondays. Fairways are restricted to once per week watering as outlined above. Golf course rough cannot be watered.
 - d. Watering for dust control on skinned areas of sport fields is not allowed.
 - e. Athletic fields (playing fields within a stadium only – not surrounding landscaping) may be watered as needed, except on Mondays, to maintain league standards. Sports fields are encouraged to reduce potable water use by 10%.
 - f. All users are encouraged to wait until the current drought or emergency situation has passed before establishing new landscaping and turf. Variances granted for establishing new turf grass or landscaping may be granted for a maximum of 30 days in accordance with Section X of this plan. However, variances are at the discretion of the District Manager and may be denied if circumstances are warranted. This exception does not apply to over seeding with rye or seasonal grasses where turf already exists.
3. Prohibit use of water for dust control, except to protect public health.
 4. Prohibit the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
 5. Prohibit filling, draining, or refilling of swimming pools, wading pools, hot tubs, and Jacuzzi type pools except to maintain structural integrity, proper operation and maintenance, and/or to alleviate an issue that poses a public safety risk.
 6. Encourage the use of covers for all types of pools, hot tubs, and Jacuzzi type pools when not in use.

E. Commercial Customers

1. All actions listed above for all water users apply to commercial and industrial users.
2. Use of water from fire hydrants for any purpose other than firefighting-related activities or other activities necessary to maintain public health, safety and welfare requires a variance permit issued by the District Manager. Fire hydrant use may be limited to only designated hydrants. Upon declaration of this drought stage, all holders or applicants of a portable meter are required to apply for a variance as set forth in Section X of this plan. If conditions warrant the need, the District Manager may require all portable meters be immediately returned pending an approved variance permit.

F. Town, District and Other Local Government Responsibilities During Stage 2 - In addition to the actions listed above:

1. Continue or initiate any actions available under Stage 1.
2. Review conditions and/or problems that caused Stage 2 and take corrective action.
3. Increase frequency of media releases on water supply conditions.
4. Further accelerate public education efforts on ways to reduce water use.

5. Eliminate non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.
6. Prohibit wet street sweeping.
7. The District Manager or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures.

Stage 3 Response Triggers – Emergency Water Use

A. Triggering Conditions for Stage 3

1. Water demand has reached or exceeds 98% of reliable delivery capacity for one (1) day.
2. Contamination of the water supply source(s) or water supply system.
3. Demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
4. Pursuant to requirements established in the agreement with the City of Fort Worth, notification is received requesting initiation of Stage 3 of their Drought Contingency Plan.
5. Conditions within the Town water system and/or District's water system that warrant a major reduction in water usage. These conditions may include loss of supply, storage, or pumping capacity, water main break, or other system failure.

B. Terminating Conditions for Stage 3 - Stage 3 may terminate when the District or the City of Fort Worth terminates its Stage 3 condition or when the circumstances that caused the initiation of Stage 3 no longer prevail.

C. Goals for Use Reduction for Stage 3 - The goal for water use reduction under Stage 3 - Emergency Water Use, is to decrease use by 20 percent (20%). If circumstances warrant or if required by the District or by the City of Fort Worth, the Town Manager or his/her official designee can set a goal for a greater water use reduction.

D. All Water Users – Continuation of restrictions imposed in Stages 1 and 2 and:

1. Prohibit landscape watering, including at parks, golf courses, and sports fields.
2. Exceptions:
 - a. Watering with a hand-held hose, soaker hose, or drip irrigation system may occur any day except Monday at any time. The intent of this measure is to allow for the protection of structural foundations, trees, and other high value landscape materials.
 - b. Golf course greens only may be watered by hand-held hose as needed to keep them alive. However watering must be done before 10 a.m. and after 6 p.m.
 - c. Watering of athletic fields (playing fields with a stadium only – not surrounding landscaping) may be allowed by a variance permit. A water management plan must be submitted to the Town Manager detailing how each area will comply with stage 3 drought measurements. If approved by the District Manager, watering of athletic fields will be expressly permitted through a variance permit.

3. Prohibit establishment of new landscaping. Variances may be granted in accordance with Section X of this plan for those landscape projects initiated prior to the initiation of stage 3 drought restrictions.
4. Restrict vehicle washing to commercial car wash, commercial service station or private on-site vehicle washing facilities and only as necessary for health, sanitation, or safety reasons, including but not limited to the washing of garbage trucks and vehicles used to transport food and other perishables. All other vehicle washing is prohibited.
5. Prohibit the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life.
6. Prohibit the draining, filling, or refilling of swimming pools, wading pools and Jacuzzi type pools. Existing private and public pools may add water to maintain pool levels; however they may not be refilled using automatic fill valves.
7. Prohibit the hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting with high-pressure equipment. If allowed, surface preparation must be performed by a professional power washing service utilizing high efficiency equipment and a vacuum recovery system.

E. Commercial Customers

1. All actions listed above for all water users apply to commercial and industrial users.
2. Hotels, restaurants, and bars are required to serve drinking water to patrons on an “on demand” basis.
3. Hotels are required to implement laundry conservation measures by encouraging patrons to reuse linens and towels.
4. Commercial water users will be required to reduce water use by a set percentage determined by the District Manager.

Use of water from hydrants for any purpose other than firefighting-related activities or other activities necessary to maintain public health, safety and welfare The Town Manager will order the return of all portable meters until stage 3 restrictions are rescinded.

F. District and Other Local Government Responsibility - In addition to actions listed above:

1. Continue or initiate any actions available under Stages 1 and 2.
2. Review conditions or problems that caused Stage 3 and take corrective action.
3. Implement viable alternative water supply strategies.
4. Increase frequency of media releases explaining emergency situation.
5. Reduce Town, District and local government water use to maximum extent possible.
6. Prohibit the permitting of new swimming pools, Jacuzzi type pools, spas, ornamental ponds and fountain construction. Pools already permitted and under construction may be completely filled with water if a variance permit is granted in accordance with Section X of this plan
7. Institute a mandated reduction in deliveries to all wholesale customers. Such a reduction will be distributed as required by Texas Water Code §11.039.

8. The Town Manager or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures.

Section X: Procedures for Granting Variances to the Plan by District

- A. The District Manager or his/her official designee may grant temporary variances for existing water uses otherwise prohibited under the Plan if one or more of the following conditions are met:
 1. Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person requesting the variance.
 2. Compliance with this Plan cannot be accomplished due to technical or other limitations.
 3. Alternative methods that achieve the same level of reduction in water use can be implemented.
- B. Variances shall be granted or denied at the discretion of the District Manager or his/her official designee. All petitions for variances should be in writing and should include the following information:
 1. Name and address of the petitioner(s)
 2. Purpose of water use
 3. Specific provisions of the Plan from which the petitioner is requesting relief
 4. Detailed statement of the adverse effect of the provision from which relief is requested
 5. Description of the relief requested
 6. Period of time for which the variance is sought
 7. Alternative measures that will be taken to reduce water use
 8. Other pertinent information

Section XI: Enforcement Procedures for Mandatory Water Use Measures

- A. No person shall knowingly or intentionally allow the use of Water 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 Town Council of the Town of Trophy Club, the Town Manager, the Board of Directors of the District or the District Manager, or his/her designee, in accordance with the provisions of this Plan.
- B. Mandatory water conservation measures and mandatory water restrictions will be enforced as follows:
 1. On the first violation, customers will be given a written warning that they have violated the mandatory water use restrictions. The violation will be explained in the warning (wrong day of week, outside permissible watering times, etc.) and will include a telephone number to the District for information regarding the violation.

2. Any person who violates this Plan for the second or subsequent times in a calendar year is subject to an administrative penalty of fifty dollars (\$50.00) that will be added to the customer's next monthly water bill. The customer will be provided a notice of the penalty that will include an explanation of the violation.
3. If a person is found to have committed three (3) or more distinct violations of this Plan, the District Manager is authorized to discontinue water service to the premises where such violations occur. Written notice with the reason for disconnection will be provided to the customer.

Reconnection of service will require payment of a two hundred dollar (\$200.00) reconnection charge paid to the District prior to service reinstatement in addition to an administrative penalty of \$50. Service reinstatement will only be provided during District office hours. In addition, suitable assurance must be given to the District Manager that the same action shall not be repeated while the Plan is in effect.

- C. In addition to administrative penalties issued by District personnel, any Trophy Club, Denton, or Tarrant County enforcement officer or licensed enforcement officer of the Town or District, pursuant to an Interlocal agreement with Town, may issue a citation to a person he/she reasonably believes to be in violation of this Plan and if found guilty is subject to a fine of up to \$2000 per violation.
- D. Each day that one or more of the provisions in the Plan is violated shall constitute a separate offense. Compliance with this Plan may also be sought through injunctive relief in the District Court.
- E. Any Person, including a Person classified as a water customer of the District, 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.
- F. This Plan is approved by duly adopted Resolution of the Trophy Club Town Council.

Section XII: Review and Update of Drought Contingency Plan

As required by TCEQ rules, the Town will review this Drought Contingency Plan at least every five (5) years after adoption or amendment. The Plan will be updated as appropriate, based on new or updated information.