

**ORDINANCE NO. 198**

**AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, ADOPTING WATER CONSERVATION AND DROUGHT CONTINGENCY PLANS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, it is necessary that a Water Conservation and Drought Contingency Plans be adopted by the City of Magnolia, Texas; and

Whereas, the City Council of Magnolia, Texas believes that such plans are in the best interest of the citizens and customers of the Magnolia Water System and Wastewater System; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:**

1. The Magnolia, Texas Water Conservation and Drought Contingency Plans attached hereto as Exhibit "A" and made a part hereof for all purposes and if setforth verbatim are adopted as the official policy of the City of Magnolia, Texas.
2. All Ordinances of the City of Magnolia, Texas in conflict with the provisions of this ordinance are hereby repealed and all other ordinances of the City of Magnolia, Texas not in conflict with the provisions of this ordinances shall remain in full force and effect.
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.
4. Any person, firm or corporation violating any of the provision or the mandatory water use restriction which have been formally initiated by the City and adopted by the City Council of the City of Magnolia, Texas and contained in City of Magnolia, Texas Drought Contingency Plan shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Magnolia, Texas shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense and each and every day of such


violation shall continue shall be deemed to constitute a separate offense. Any person found guilty of this Ordinance for a second time shall be fined no less than \$100.00. Any person found guilty of this Ordinance for a third or more time shall be fined no less than \$250.00.

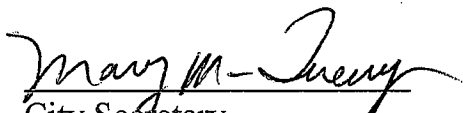
5. This Ordinance shall take effect immediately from and after its passage and the publication of its caption as the law may provide.

PASSED AND ADOPTED ON ITS FIRST READING ON THE 17TH DAY OF MAY, 1994.

Councilwoman Ogden	<u>AYE</u>
Councilman Southerland	<u>AYE</u>
Councilman Smith	<u>AYE</u>
Councilwoman Cloyd	<u>AYE</u>
Councilman Chumley	<u>AYE</u>

ATTEST:

  
Mayor of Magnolia

  
City Secretary

REVISIONS TO  
CHAPTER 1  
AUGUST 17, 2000

COPY

INTRODUCTION

The City of Magnolia produces water from two (2) eight-inch wells at intervals of 600 feet and 700 feet respectively. The city has a 100,000 gallon elevated storage tower and a 200,000 gallon ground storage.

WATER CONSERVATION RATE STRUCTURE

The City currently has a uniform rate structure, which does not and will not encourage water waste. All water customers are subject to the uniform rate structure so that all customers' classes are equally encouraged to conserve water.

The current rate structure takes the form of a uniform rate combined with a water availability charge, so that high volume users are charged as much as a low volume users per 1,000 gallons of water. For example, the first 1,000 gallons a month base rate is \$22.00 for the first 1,000 gallons of water for customers inside the city, and \$30.00 for customers outside our city. All use above 1,000 gallons cost \$1.40 per thousand gallons.

TRIGGER CONDITIONS

**MILD DROUGHT**

The trigger condition that will indicate mild drought contingency measures may be required will be when: The daily average production is between 460,000 gallons per day and 500,000 gallons per day for 7 consecutive days.

**MODERATE DROUGHT**

The trigger condition indicating moderate drought contingency measures may be required will be when: The average daily water production is between 500,000 gallons per day and 600,000 gallons per day for 7 consecutive days.

**SEVERE DROUGHT**

The trigger condition indicating severe drought contingency measures may be required will be when: The average daily water production is over 600,000 gallons per day for 3 or more consecutive days.

### **CRITICAL EMERGENCY CONDITIONS**

Due to a natural or other disaster, if the public water supply becomes non-suitable for human consumption or a long duration without electrical power.

- Extended power outage – city will valve both elevated and ground storage tanks to a closed position and hold the water in storage for disbursement for medical and drinking purposes.
- Disaster – If the city experiences a natural disaster Tornado, Flooding etc, and the water system becomes non-suitable for human consumption the city shall close all valves from the production facility until all corrective measures are taken and water quality is restored to T.N.R.C.C. standards, (testing, structure integrity, etc.)
- Fire Department - The fire department shall be notified immediately to use area surface water for fire fighting purposes. (Windmill Est., Indigo Lakes, Clover Creek)

## **DROUGHT CONTINGENCY MEASURES**

The following actions will be taken by the city when trigger conditions are reached and drought contingency measures may be necessary:

### **MILD CONDITION**

- Inform the public through the news media that a trigger condition has been reached.
- Prohibit car washing, window washing and pavement washing except when a bucket is used.
- The following mandatory lawn watering schedule will be implemented:
  1. Customers with even numbered street addresses may water on even numbered days of the month.
  2. Customers with odd numbered street addresses may water on odd number days of the month.
- Watering shall occur before 9 AM. And after 9 PM. (6:00 am – 9:00 am) and (9:00 PM. – 12:00 midnight)
- The following public water uses, not essential for public health or safety, will be prohibited:

Street washing  
Water hydrant flushing  
Filling swimming pools  
Athletic field watering  
Watering grassed areas of public property

### **MOERATE CONDITION**

All outdoor water usage is prohibited except by hand held hoses with manual turn-on/off nozzles. Water schedule will be the same as a mild condition. Water usage for livestock and commercial car washes are exempt.

- The following public water uses, not essential for public health or safety, will be prohibited:

Street washing  
Water hydrant flushing  
Filling swimming pools  
Athletic field watering  
Watering grassed areas of public property

- Advise the public that conditions have progressed into a moderate drought condition.

## **SEVERE DROUGHT**

All outdoor water usage is prohibited: livestock and commercial car washes are exempt.

- If the severe condition is in effect for more than 10 consecutive days it may become necessary to suspend water use by all commercial car washes. This determination shall be made depending on the condition of the city's water production facility.
- Advise the public of the severity of the condition.

We will advise TNRCC by phone when we go into any of the above drought plans, then mail a copy of the plan within 10 days to:

**TNRCC**

Attn: Water Rationing Coordinator: MC 153

P.O. Box 13087

Austin, Texas 78711