

**WATER CONSERVATION
AND
DROUGHT CONTINGENCY PLAN
FOR THE
NORTH HOPKINS WATER SUPPLY CORPORATION**

ADOPTED: JULY 2000

REVISED: SEPTEMBER 2011

RESOLUTION

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH HOPKINS WATER SUPPLY CORPORATION ADOPTING A REVISED DROUGHT CONTINGENCY PLAN.

WHEREAS, the Board recognizes that the amount of water available to the North Hopkins Water Supply Corporation and its water utility customers is limited and subject to depletion during periods of extended drought;

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

WHEREAS, Section 12.1272 of the Texas Water Code and applicable rules of the Texas Natural Resource Conservation Commission 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 customers of the North Hopkins Water Supply Corporation, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

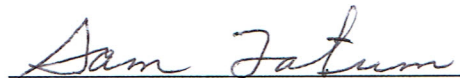
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH HOPKINS WATER SUPPLY CORPORATION;

SECTION 1. That the Drought Contingency Plan attached hereto as Exhibit "A" and made part hereof for all purposes, be and the same is hereby, adopted as the official policy of the North Hopkins Water Supply Corporation.

SECTION 2. That the manager is hereby directed to implement, administer, and enforce the Drought Contingency Plan.

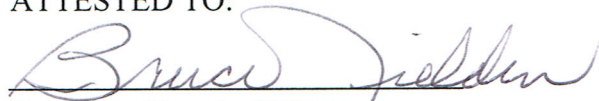
SECTION 3. That this resolution shall take effect immediately on its passage.

DULY PASSED BY THE BOARD OF DIRECTORS OF THE NORTH HOPKINS WATER SUPPLY CORPORATION ON THIS 22ND DAY OF SEPTEMBER, 2011.



President, Board of Directors

ATTESTED TO:



Secretary, Board of Directors

DROUGHT CONTINGENCY PLAN
FOR THE
NORTH HOPKINS WATER SUPPLY CORPORATION
ADOPTED JULY 2000
REVISED SEPTEMBER 2011

Section I: Declaration of Policy, Purposes, 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 North Hopkins Water Supply hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency 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 of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the North Hopkins Water Supply Corporation by means of providing notice of a board meeting to accept input in the Plan.

Section III: Public Education

The North Hopkins Water Supply Corporation 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 releases in the Sulphur Springs News Telegram.

Section IV: Coordination with Regional Water Planning Groups

The service area of the North Hopkins Water Supply Corporation is located within the Regional Water Planning Area "D" and North Hopkins Water Supply Corporation has provided a copy of this Plan to the North East Texas Region "D" planning group.

Section V: Authorization

The Manager 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 Manager 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, customer, and property utilizing water provided by North Hopkins Water Supply Corporation. 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.

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 North Hopkins Water Corporation.

Domestic water use: water used 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 medians.

- (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;
- © 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 leaks(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 firefighting.

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

Section VIII: Criteria for Initiation of Drought Response Stages

The Manager 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:

Customer shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses when, pursuant to the requirements specified in the City of Sulphur Springs wholesale water purchase contract with North Hopkins Water Supply Corporation, notification is received requesting initiation of Stage 1 of the Drought Contingency Plan and/or when North Hopkins Water Supply Corporation’s demand exceeds supply and North Hopkins Water Supply Corporation’s storage facilities and pumping capacities cannot maintain

an adequate level for the safety and well being of NHWSC's customers.

Requirement for termination:

Stage 1 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 2 Triggers - Moderate Water Shortage conditions

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when pursuant to requirements specified in the City of Sulphur Springs; wholesale water purchase contract with North Hopkins Water Supply Corporation, notification is received requesting initiation of Stage 2 of the Drought Contingency Plan and/or when North Hopkins Water Supply Corporation's demand exceeds supply and North Hopkins Water Supply Corporation's storage facilities and pumping capacities cannot maintain an adequate level for the safety and well being of NHWSC's customers.

Requirements for Termination:

Stage 2 of this 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 3 Triggers - Severe Water Shortage Conditions

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when pursuant to requirements specified in the City of Sulphur Springs; wholesale water purchase contract with North Hopkins Water Supply Corporation, notification is received requesting initiation of Stage 3 of the Drought Contingency Plan and/or when North Hopkins Water Supply Corporation's demand exceeds supply and North Hopkins Water Supply Corporation's storage facilities and pumping capacities cannot maintain an adequate level for the safety and well being of NHWSC's customers.

Requirements for termination:

Stage 3 of this 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 4 Triggers - CRITICAL Water Usage Condition

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when pursuant to requirements specified in the City of Sulphur Springs; wholesale water purchase contract with North Hopkins Water Supply Corporation, notification is received requesting initiation of Stage 4 of the Drought Contingency Plan and/or when North Hopkins Water Supply Corporation's demand exceeds supply and North Hopkins Water Supply Corporation's storage facilities and pumping capacities cannot maintain an adequate level for the safety and well being of NHWSC's customers.

Requirements for termination:

Stage 4 of this 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 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 the Manager or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination:

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

Section X: Variances

The 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 conditions 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 North Hopkins Water Supply Corporation within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Manager or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s);
- (b) Purpose of water use;
- (c) Specify 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; and
- (h) Other pertinent information.

Variances granted by the North Hopkins Water Supply Corporation shall be subject to the following conditions, unless waived or modified by the Manager or his/her designee;

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

WATER SAVING METHODS THAT CAN BE PRACTICED BY THE INDIVIDUAL WATER USER

In-home water use accounts for an average of 65% of total residential use, while the remaining 35% is used for exterior residential purposes such as lawn watering and car washing. Average residential in-home water use data indicates that about 40% is used for toilet flushing, 35% for bathing, 11% for kitchen uses, and 14% for clothes washing. Water saving methods that can be practiced by the individual water user are listed below.

In the bathroom, customers should be encouraged to:

1. Take a shower instead of filling the tub and taking a bath. Showers usually use less water than tub baths.
2. Install a low-flow shower head, which restricts the quantity of flow at 60 psi to no more than 3.0 gallons per minute.
3. Take short showers and install a cut-off valve or turn the water off while soaping and back on again only to rinse.
4. Do not use hot water when cold will do. Water and energy can be saved by washing hands with soap and cold water; hot water should only be added when hands are especially dirty.
5. Reduce the level of the water being used in a bath tub by one or two inches if a shower is not available.
6. Turn water off when brushing teeth until it is time to rinse.
7. Do not let the water run when washing hands. Instead, hands should be wet and water should be turned off while soaping and scrubbing and turned on again to rinse. A cut-off valve may also be installed on the faucet.
8. Shampoo hair in the shower. Shampooing in the shower takes only a little more water than is used to shampoo hair during a bath and much less than shampooing and bathing separately.
9. hold hot water in the basin when shaving instead of letting the faucet continue to run.
10. Test toilets for leaks. To test for a leak, a few drops of food coloring can be added to the water in the tank. The toilet should not be flushed. The customer can then watch to see if the coloring appears in the bowl within a few minutes. If it does, the fixture needs adjustment or repair.
11. Use a toilet tank displacement device. A one-gallon plastic milk bottle can be filled with stones or with water, recapped, and placed in the toilet tank. This will reduce the amount of water in the tank but still provides enough for flushing. (Bricks, which some people use for this purpose, are not recommended since they crumble eventually and could damage the working mechanism, necessitating a call to the plumber.) Displacements devices should never be used with new low-volume flush toilets.
12. Install faucet aerators to reduce water consumption.
13. Never use the toilet to dispose of cleansing tissues, cigarette butts, or other trash. This can waste a great deal of water and also laces an unnecessary load on the

per month to the water bill.

3. Learn to replace faucet washers so that drips can be corrected promptly. It is easy to do, costs very little, and can represent a substantial amount saved in plumbing and water bills.
4. Check for water leakage that the customer may be entirely unaware of, such as a leak between the water meter and the house. To check, all indoor faucets should be turned off, and the water meter should be checked. If it continues to run or turn, a leak probably exists and needs to be located.
5. Insulate all hot water pipes to avoid the delays (and wasted water) experienced while waiting for the water to "run hot".
6. Be sure the water heater thermostat is not set too high. Extremely hot settings waste water and energy because the water often has to be cooled with cold water before it can be used.
7. Use a moisture meter to determine when house plants need water. More plants die from over-watering than from being too dry.

For outdoor use, customers should be encouraged to:

1. Water lawns early in the morning during the hot summer months. Much of the water used on the lawn can simply evaporate between the sprinkler and the grass.
2. Use a sprinkler that produces large drops of water, rather than a fine mist, to avoid evaporation.
3. Turn soaker hoses so the holes are on the bottom to avoid evaporation.
4. Water slowly for better absorption, and never water on windy days.
5. Forget about watering the street or walkways or driveways. They will never grow a thing.
6. Condition the soil with compost before planting grass or flower beds so that water will soak in rather than run off.
7. Fertilize lawns at least twice a year for root stimulation. Grass with a good root system makes better use of less water.
8. Learn to know when grass needs watering. If it has turned a dull grey-green or if footprints remain visible, it is time to water.
9. Do not water too frequently. Too much water can overload the soil so that air cannot get to the roots and can encourage plant disease.
10. Do not over-water. Soil can absorb only so much moisture and the rest simply runs off. A timer will help, and either a kitchen timer or an alarm clock will do. An inch and one-half of water applied once a week will keep most Texas grasses alive and healthy.
11. Operate automatic sprinkler systems only when the demand on the town's water supply is lowest. Set the system to operate between two and six a.m.
12. Do not scalp lawns when mowing during hot weather. Taller grass holds moisture better. Rather, grass should be cut fairly often, so that only 1/2 to 3/4 inch is trimmed off. A better looking lawn will result.
13. Use a watering can or hand water with the hose in small areas of the lawn that need more frequent watering (those near walks or driveways or in especially hot,

- sewage treatment plant or septic tank.
14. Install a new low-volume flush toilet that uses 3.5 gallons or less per flush when building a new home or remodeling a bathroom.

In the kitchen, customers should be encouraged to:

1. Use a pan of water (or place a stopper in the sink) for rinsing pots and pans and cooking implements when cooking rather than turning on the water faucet each time a rinse is needed.
2. Never run the dishwasher without a full load. In addition to saving water, expensive detergent will last longer and a significant energy savings will appear on the utility bill.
3. Use the sink disposal sparingly, and never use it for just a few scraps.
4. Keep a container of drinking water in the refrigerator. Running water from the tap until it is cool is wasteful. Better still, both water and energy can be saved by keeping cold water in a picnic jug on a kitchen counter to avoid opening the refrigerator door frequently.
5. Use a small pan of cold water when cleaning vegetables rather than letting the faucet run.
6. Use only a little water in the pot and put a lid on it for cooking most food. Not only does this method save water, but food is more nutritious since vitamins and minerals are not poured down the drain with the extra cooking water.
7. Use a pan of water for rinsing when hand washing dishes rather than running faucet.
8. Always keep water conservation in mind, and think of other ways to save in the kitchen. Small kitchen savings from not making too much coffee or letting ice cubes melt in a sink can add up in a year's time.

In the laundry, customers should be encouraged to:

1. Wash only a full load when using an automatic washing machine (32 to 59 gallons are required per load).
2. Use the lowest water level setting on the washing machine for light loads whenever possible.
3. Use cold water as often as possible to save energy and to conserve the hot water for uses which cold water cannot serve. (This is also better for clothing made of today's synthetic fabrics.)

For appliances and plumbing, the customer should be encouraged to:

1. Check water requirements of various models and brands when considering purchasing any new appliance that uses water. Some use less water than others.
2. Check all water line connections and faucets for leaks. If the cost of water is \$1.00 per 1,000 gallons, one could be paying a large bill for water that simply goes down the drain because of leakage. A slow drip can waste as much as \$10.00

We have included pages 14, 15, 16, 17, 18, 19, and 20 of the City of Sulphur Springs Emergency Water Demand Management Plan. We purchase our water from the City of Sulphur Springs and our customers will be under the same guidelines if an emergency situation should arise.

III EMERGENCY WATER DEMAND MANAGEMENT PLAN

A. DROUGHT CONTINGENCY PLAN

Drought, or a number of other uncontrollable circumstances, can disrupt the normal availability of water supplies. Even though an area may have an adequate water supply, the supply can become contaminated, or a disaster can disrupt or destroy the supply. During drought periods, consumer demand is often significantly higher than normal. System treatment, storage, or distribution failures also can present a city or utility with an emergency demand situation.

While water conservation involves implementing permanent water use efficiency or reuse practices, drought contingency plans establish temporary methods or techniques designed to be used only as long as an emergency exists. Because the onset of an emergency condition is often rapid, it is important that the City be prepared in advance. Further, the citizen or customer must know that certain measures not used in the Water Conservation Program may be necessary if a drought or other emergency condition occurs. The City of Sulphur Springs Drought Contingency Plan includes the following six elements:

- Trigger conditions signaling the start of an emergency period
- Drought contingency measures
- Information and education
- Initiation procedures
- Termination notification actions
- Means of implementation

1. Trigger Conditions

The City Manager/Water Superintendent will monitor the daily water purchase or production and based on an average of the previous seven (7) days make a determination following the criteria established for the trigger conditions. A description of conditions considered mild, moderate, and severe follow.

a. Mild Conditions

- 1) Average daily water consumption reaches 90% of production capacity; and
- 2) Lake levels are still high enough to provide an adequate supply, but the levels are low enough to disrupt some other beneficial activity, such as recreation; and
- 3) The water supply is still adequate, but the water levels or reservoir capacities are low enough that there is a real possibility that the supply situation may become critical if the drought or emergency continues.

b. Moderate Conditions

- 1) Average daily water consumption reaches 100% of production capacity for a three day period at which the failure of a pump or some other piece of equipment could cause a serious disruption of service to part or all of the system; and
- 2) Adequate storage capacity (water level) is not being maintained during period of 100% rated production period; and
- 3) Water levels are still adequate, but they are declining at such a rate that a more serious problem will result in the very near future if some type of formal action is not taken.

c. Severe Conditions

- 1) Average daily water consumption reaches 110% of rated production capacity; and
- 2) Storage capacity is low enough to hinder adequate fire protection and pumping capacity is not able to refill during off peak hours; and
- 4) Lake levels are so low that diversion or pumping equipment will not function properly; and
- 5) The imminent or actual failure of a major component of the system which would cause an immediate health or safety hazard.

B. EMERGENCY MANAGEMENT PROGRAM

The following actions shall be taken by the City of Sulphur Springs when trigger conditions are reached:

1. Mild Conditions

- a. The users will be asked to water lawns only between 4:00 am - 6:00 am and 10:00 pm – 12 midnight and refrain from washing cars and reduce normal water use.
- b. Increase monitoring of water supply versus demand.
- c. City personnel will increase leak detection and repair efforts.
- d. The public will be informed by *The Sulphur Springs News-Telegram*, radio and/or TV, in advance if possible, of the expected or actual condition, giving detailed instructions to the users. They will be kept informed concerning the status, i.e., holding, improving, getting worse, etc. Also, water conservation information will be provided.
- e. The water to be distributed shall be divided among all customers, including wholesale water customers, pro rata, according to the amount each may be entitled to, so that preference is given to no one and everyone suffers alike. Wholesale water customers will be notified by phone to inform their customers of these voluntary restrictions (per their contract).
- f. Lake Sulphur Springs, our backup water supply, will be utilized if needed

for raw water supply.

Requirements of termination: May be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

2. Moderate Conditions

- a. Under penalty for violators, the City will implement odd/even lawn irrigation on daily basis depending on house address between the hours of 4:00 am - 6:00 am and 10:00 pm – 12 midnight..
- b. The City will implement the policy of no swimming pool refilling or car washing.
- c. The City will cease use of fire hydrants for non fire-fighting purposes.
- d. The public will be informed by *The Sulphur Springs News-Telegram*, radio and/or TV, in advance if possible, of the expected or actual condition, giving detailed instructions to the users. They will be kept informed concerning the status of the condition. Also, water conservation information will be provided.
- e. The water to be distributed shall be divided among all customers, including wholesale water customers, pro rata, according to the amount each may be entitled to, so that preference is given to no one and everyone suffers alike. Wholesale water customers will be notified by phone to inform their customers of the requirement to comply with these mandatory restrictions (per their contract).
- f. Lake Sulphur Springs, our backup water supply, will be utilized if needed for raw water supply.

Requirements of termination: May be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination, if necessary, stage 1 (mild conditions) becomes operative.

3. Severe Conditions

- a. Continue implementation of all Condition 2 restrictions, except the City will completely restrict lawn irrigation. Violators will be subject to civil enforcement and fines.
- b. Prohibit all unnecessary outside “waste of water”.
- c. The public will be informed by *The Sulphur Springs News-Telegram*, radio, and/or TV, in advance if possible, of the expected or actual condition, giving detailed instructions to the users. They will be kept informed concerning the status of the condition. Also, water conservation information will be provided.
- d. The water to be distributed shall be divided among all customers, including wholesale water customers, pro rata, according to the amount each may be entitled to, so that preference is given to no one and

everyone suffers alike. Wholesale water customers will be notified by phone to inform their customers of the requirement to comply with these mandatory water restrictions (per their contract).

- e. Lake Sulphur Springs, our backup water supply, will be utilized if needed for raw water supply. Also, if necessary, a request will be made to the executive director of the TNRCC to allow the operation of our water treatment facilities above design capacity (example: 4 hour detention instead of 6 hour detention in sedimentation basins) as long as minimum regulatory requirements are maintained.

Requirements of termination: May be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination, if necessary, stage 2 (moderate conditions) becomes operative.

Definition: The term "waste of water" shall include:

1. wash down of driveways, sidewalks, walkways, 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).

Exceptions: The above measurement shall not apply to hospitals, health care centers, laboratories, and any other application where health and safety are dependent upon particular water flow rates. Further, the above measurements shall not apply to industrial or commercial applications where the operation depends upon a particular flow rate.

C. 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 Resolution shall file a petition for variance with the City of Sulphur Springs within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be 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 Resolution.
- (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.

Variances granted by the City of Sulphur Springs shall be subject to the following conditions, unless waived or modified by the City Manager or his/her designee:

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

D. INFORMATION AND EDUCATION

As a component of the Information and Education section in the Water Conservation Plan, the purpose and effect of the Drought Contingency Plan will be communicated to the public through articles in the *Sulphur Springs News-Telegram*, supplemented by pamphlets distributed at the same time and public service announcements on local television and radio stations.

E. INITIATION PROCEDURES

When trigger conditions appear to be approaching, the public will be notified through publication of articles in the *Sulphur Springs News-Telegram* with information on water conserving methods. During severe conditions, signs may be posted at major entrances to the City of Sulphur Springs. the public will be

kept informed on the conditions of the emergency and any violation fines as applicable.

F. TERMINATION NOTIFICATION

When trigger conditions have passed, the local newspaper (*Sulphur Springs News-Telegram*) will publish notification that drought contingency measures are abated for that condition, and, if applicable, will outline measures necessary for the reduced condition.

G. IMPLEMENTATION BY WATER USE RESTRICTIONS ORDINANCE

The City of Sulphur Springs currently has an ordinance (No. 832) pertaining to water use restrictions. Ordinance 832 reads as follows:

1. *Imposition of Restrictions.* *Upon being notified by the City Manager or Mayor that an emergency situation exists, regarding the water treatment plant and the supply of water to citizens and customers of the City of Sulphur Springs, the City Commission, in a public meeting after due notice of same has been given in accordance with the laws of the State of Texas, and after certifying the existence of such emergency, may by appropriate resolution impose such restrictions regarding the use of water, both commercial and noncommercial, that in the complete discretion of the City Commission is necessary or desirable under the circumstances then existing. These restrictions may be modified or repealed in the complete discretion of the City Commission by appropriate resolution without resort to the ordinance process of the City.*
2. *Posting of resolution.* *The City Manager or the Mayor shall cause such resolution regarding water use restrictions, Supp. No. 12 or termination of same, to be posted in the city municipal building and published at least once in any newspaper serving the City of Sulphur Springs and this shall constitute sufficient public notice of same due to the emergency situation existing.*
3. *Penalty for Violation.* *Any person found guilty of violation of the provisions of this section shall be fined not less than twenty-five (\$25.00) nor more than two hundred dollars (\$200.00) per offense and on continued and willful violation of this section, the City of Sulphur Springs may discontinue water service to the violator.*

H. UPDATE OF TRIGGER CONDITIONS

Once a year, the City of Sulphur Springs will examine the production requirements and ability to maintain these requirements to determine if trigger conditions need to be re-established. Consideration will be given to each

Corporation's usage in relation to the aggregate usage and any anticipated increase in production of the City's water supply facilities.

I. COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of the City of Sulphur Springs is located within the Regional Water Planning Area "D" and the City of Sulphur Springs has provided a copy of this Plan to the North East Texas Region (D) planning group.

J. PUBLIC INVOLVEMENT

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Sulphur Springs by means of a public meeting held on Tuesday, July 6, 1999 in the council room of the Municipal Building. A notice was posted 72 hours in advance of the meeting.

K. WHOLESALE WATER CONTRACTS

Every wholesale water contract entered into or renewed after adoption of this plan, including contract extensions, will have a provision that in case of a shortage of water resulting from drought, customers of that supplier will be subject to the same restrictions as the customers of the City of Sulphur Springs, and the water to be distributed shall be divided in accordance with Texas Water Code 11.039.