



Westwood Shores M.U.D

75 Cottonwood
Trinity, TX 75862

DROUGHT CONTINGENCY PLAN FOR WESTWOOD SHORES MUNICIPAL UTILITY DISTRICT

Updated: June 21, 2022

Section I: Declaration of Policy, Purchase 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 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 Westwood Shores Municipal Utility District hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (Westwood Shores M.U.D. Water Rationing Plan) are considered to be nonessential and the continuation of such uses during time of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as Defined in Section 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 Westwood Shores Municipal Utility District by means of Trinity Standard Newspaper, Civic Club Meeting, POA Meeting, and Fliers at Main Entry Gate and Postings (used to inform the public about the preparation of the plan and provide opportunities for input: for example, scheduling and providing public notice to a public meeting to accept input on the Plan).

Section III: Public Education

The Westwood Shores Municipal Utilities District will periodically provide the public with information about the Plan, including information about the conditions under which each state of the Plan is to be initiated or terminated and the drought response measures to be implemented in each state. This information will be provided by means of monthly M.U. D. Meetings, Civic Club Meetings, and POA

Meeting. Copies are available at the Westwood Shores Municipal Utility District Office.

Section IV: Coordination with Regional Water Planning Groups

The service area of the Westwood Shores Municipal Utility District is located within the Westwood Shores Subdivision, and Westwood Shores Municipal Utility District has provided a copy of this Plan to the Region H Regional Water Planning Group.

Section V: Authorization

Whenever conditions require the implementation of any mandatory provisions of a drought contingency plan, Texas Commission on Environment Quality rules require that the suppliers notify the TCEQ within five (5) business days.

Title 30, Texas Administrative Code, Chapter 288, Subchapter B (288-20) (b).

The Utility Director - Water Plant Manager, or his/her designee is hereby authorized and directed to implement the applicable provision of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Westwood Shores Municipal Utility District President or Utility Director 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 provision of this Plan shall apply to all persons, customers, and property utilizing water provided by the Westwood Shores Municipal Utility District. The terms "person" and "customer" as used in the Plan includes individuals, corporations, partnerships, associations and all other legal entities.

Section VII: Definitions

For the purpose of this Plan, the following definitions shall apply.

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

Commercial and institutional water use: Water usage that is integral to the operations of commercial and/or non-profit establishments and/or governmental entities; such as, retail establishments, restaurants, office buildings and Marina Village campgrounds.

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

Customer: Any person, company, or organization that uses water supplied by the Westwood Shores Municipal Utility District is considered a customer.

Domestic water use: Water that is 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 right-of-way and medians.

Non-essential water use: Water uses that are not essential or required for the protection of public health, safety, and welfare, including:

- a. Irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle
- c. Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or any hard-surfaced areas
- d. Use of water to wash down buildings or structures for purposes other than immediate fire protections
- 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 firefighting

Odd numbered address: Street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9 and locations without addresses.

Section VIII: Criteria for Initiation/Termination of Drought Response Stages

The Westwood Shores Municipal Utility District Plant Manager or his/her designee shall monitor water supply and/or demand conditions daily and shall determine when demand conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached. Public

notification of the initiation of termination of drought response stages shall be by means of Civic Club Message Center, Publication in a newspaper of general circulation, and signs posted.

The triggering criteria described below are based on safe controllable levels at water plant.

Voluntary Plan (Conserve)

Requirements for initiation: Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Westwood Shores Water Ration Procedure (Voluntary) fliers, postings, newspaper, civic club message center.

Requirements for termination: Voluntary Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days of safe normal levels.

Phase I - Mild Water Shortage Conditions

Requirement for initiation: Customers shall be requested to voluntarily conserve and adhere to the prescribed restrictions on certain water uses, defined in Section VII-Definitions, when the requirements and restrictions on certain nonessential water uses provided in this Plan when water levels do not return to 50%.

Requirement for termination: Phase I of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days, upon termination of Phase I, the voluntary phase becomes operative.

Phase II - Moderate Water Shortage Conditions

Requirement for initiation: Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses provided in Section IX of this plan when water has been cut back to water plant.

Requirements for termination: Phase II of the plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days. Upon termination of Phase II, Phase I becomes operative.

Phase III - Severe Water Shortage Conditions

Requirement for initiation: Customer shall be required to comply with the requirement and restrictions on certain nonessential water uses for Phase III of this plan when Water Plant cannot maintain water pressure and water has been cut back to Plant.

Requirement for termination: Phase III of the plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days. Upon termination of Phase III, Phase II becomes operative.

Phase IV Critical Water Shortage Conditions

Requirements for initiation: Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Phase IV of this plan when water plant cannot maintain flow and pressure of 45 psi to District.

Requirements for terminations: Phase IV of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days and water is safe in homes. Upon termination of Phase IV, Phase III becomes operative.

Phase V - Emergency Water Shortage Conditions

Requirement for initiation: Customers shall be required to comply with the requirements and restrictions for Emergency Water Rationing of this Plan when Water Plant Manager/Utility Director, or his/her designee, determines that a water supply emergency exists based on:

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

Requirement for termination: Phase V of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of one (1) to two (2) consecutive days; after flushing and testing. Upon termination of Phase V, Phase IV becomes operative.

Phase VI - Water Allocation

Requirement for initiation: Customers shall be required to comply with the water allocation provided in Section X of this plan and comply with the requirements and restrictions for Phase VI of this plan when Water Plant Manager/Utility Director, or his/her designee, determines that a water supply emergency exists.

Requirement for termination: Water allocation may be rescinded when all the conditions listed as triggering events have ceased for a period of one (1) to two (2) consecutive day; after flushing and testing. Upon termination of Phase VI, Phase V becomes operative.

NOTE: The inclusion of water allocation or rationing plan as part of a drought contingency plan may not be required in all cases. For example, for a given water supplier, an analysis of water supply availability under drought of record conditions may indicate that there is essentially no risk of water supply shortage. Hence a drought contingency plan for such a water supplier might only address facility capacity limitations and emergency condition.

SECTION IX: Drought Response States

The Water Plant Manager/Utility Director shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section IX of this Plan, shall determine that a mild, moderate; severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the public:

The Water Plant Manager/Utility Director or his/her designee shall notify the public by one or more of the following means:

- (1) Newspaper of general circulation
- (2) Direct mail to each customer
- (3) District Website
- (4) Signs at Entrance to Subdivision & Public Places
- (5) Fliers at Security Gate
- (6) Phone Tree
- (7) District social media

Additional Notification:

The Water Plant Manager/Utility Director or his/her designee shall directly, or cause to notify directly the following individuals and entities:

- (1) Water Board Members
- (2) Security Gate
- (3) Marina Village Camp Grounds
- (4) Civic club
- (5) Garden club
- (6) Property Owners Association Representative

WESTWOOD SHORES WATER RATIONING PROCEDURE

Voluntary Plan:

TYPE	RESTRICTIONS ENFORCED	TRIGGERING REASON
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Voluntary Plan (Conserve)	1.Cutback on Sprinklers (50%) 2.No washing of Auto, RV's, Tow Vehicles, Boat, Etc. 3.No Water for Recreational Purposes.	Storage Levels fall below 70% for 3 consecutive days or usage over 150,000 gpd for 5 consecutive days
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Target: Achieve a voluntary 10% reduction in Water Usage.

Mild Water Shortage Conditions:

Target: Achieve a 20% - 25 % reduction in Water Usage.

TYPE	RESTRICTIONS ENFORCED	TRIGGERING REASON
PHASE I (MILD)	1. Outside use for watering of lawns either: Morning Hours 5:00am -9:00am Evening Hours 8:00pm - 10:00 pm Odd Number Address: Monday, Wednesday, Friday Even Number Address: Tuesday, Thursday, Saturday 2. Restrictions 2 and 3 of Voluntary Plan.	Storage Levels fall below 60% for 3 consecutive days or usage over 170,000 gpd for 3 consecutive days

Moderate Water Shortage Conditions:

Target: Achieve a 30 % reduction in Water Usage

TYPE	RESTRICTIONS ENFORCED	TRIGGERING REASON
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<p>PHASE II (Moderate)</p>	<p>1. Outside use for watering of lawns either: Morning Hours 6:00am -9:00am Evening Hours 8:00pm - 10:00 pm Odd Number Address: Monday, Thursday Even Number Address: Tuesday, Friday 2. Watering by hand ONLY Restrictions 2 and 3 of Voluntary Plan.</p>	<p>Storage Levels fall below 50% for 3 consecutive days or usage over 190,000 gpd for 3 consecutive days</p>
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Critical Water Shortage Conditions:

Target: Achieve a 50 % reduction in Water Usage

TYPE	RESTRICTIONS ENFORCED	TRIGGERING REASON
<p>PHASE III (Critical)</p>	<p>1. Outside use for watering of lawns prohibited Water use for inside of home ONLY Restrictions 2 and 3 of Voluntary Plan.</p>	<p>Storage Levels fall below 40% for 3 consecutive days or usage over 200,000 gpd for 3 consecutive days</p>

Severe Water Shortage Conditions:

Target: Achieve a 60 % reduction in Water Usage

TYPE	RESTRICTIONS ENFORCED	TRIGGERING REASON
<p>PHASE IV (Severe)</p>	<p>1. Outside use for watering of lawns prohibited Water use for inside of home ONLY 2. Enforced by Law Enforcement Office. 3. Residents will be charged a higher rate for usage over 5,000 per month. The higher rate will be posted. Restrictions 2 and 3 of Voluntary Plan.</p>	<p>Storage Levels fall below 35% for 3 consecutive days or usage over 220,000 gpd for 3 consecutive days</p>

Emergency Water Shortage Conditions:

Target: Achieve a 70 % reduction in Water Usage

TYPE	RESTRICTIONS ENFORCED	TRIGGERING REASON
PHASE V (Emergency)	1. Outside use for watering of lawns prohibited Water use for inside of home ONLY 2. Enforced by Law Enforcement Office. 3. Residents will be charged a higher rate for usage over 5,000 per month. The higher rate will be posted. 4. Possible rationing of water Restrictions 2 and 3 of Voluntary Plan.	Storage Levels fall below 30% for 3 consecutive days or usage over 230,000 gpd for 2 consecutive days

SECTION X: WATER ALLOCATION

In the event water shortage conditions threaten public health, safety, and welfare the Westwood Shores Utility Board is hereby authorized to allocate water according to the following water allocation plan:

SINGLE-FAMILY RESIDENTIAL CUSTOMERS

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

Persons per Household	Gallons per Month
1 or 2	5,000
3 or 4	6,000
5 or 6	7,000
7 or 8	8,000
9 or 10	9,000
10 for more	10,000

"Household" means the residential premises served by the customer's meter. "Person per Household" includes only those persons currently physically residing at the premise and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of two (2) persons unless the customer notifies the Westwood Shores Utility District Board of a greater number of persons per household on a form prescribed by the Director. The Director shall give his/her best effort to see that such forms are made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the Westwood Shores Municipal Utility office to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed the Director. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the Westwood Shores Municipal Utility District on such form and the change will be implemented in the next

practicable billing period. If the number of persons in a household is reduced, the customer shall notify the Westwood Shores Municipal Utility District in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the director shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the Westwood Shores Municipal Utility District of a reduction in the number of person in a household shall be fined not less than \$25.00.

Residential water customers shall pay the following surcharges:

\$25.00 per 1,000 gallons over allocation (prorated).

Commercial Customers:

1. Marina Village Campground
Section "A" & Restroom
33 Connections
2 Dump Sites
Sections C,D,E,H,K,
J Section and Restrooms
2. Westwood Shores Property Owners Association Sales Office
Maint. Barn
County Store, Laundry, Bait House
Memorial Garden
3. County Club
Restaurant
Pro Shop
Restroom Tee Box # 15
Restroom Tee Box #5
Pool. Side and Restroom.

A monthly water allocation shall be established by the Director, or his/her designee, for each nonresidential commercial customer who uses water for processing purposes. The non-residential customer's allocation shall be approximately 50 percent of the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. Provided, however, a customer 30 percent of whose monthly usage is less than 10,000 gallons. The director shall give his/her best effort to see that notice of each non-residential customer's allocation is available to such customer: If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the Westwood Shores Municipal Utility District to determine the allocation. Upon request of the customer or at the initiative of the director, the allocation may be reduced or increased if (1) the designated period does not accurately reflect the customer's normal water usage, (2) one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Director.

SECTION XI: ENFORCEMENT

- (A) No person shall knowingly or intentionally allow the use of water from the Westwood Shores Municipal Utility District 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 state in effect at the time pursuant to action taken by Westwood Shores Municipal Utility District, or his/her Board Director, in accordance with provisions of this Plan.

VIOLATIONS:

- (B) Any person who violates this Plan is guilty of a violation and, shall be fined of not less than \$25.00 and not more than \$100.00 _each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct Violations of this Plan, the Westwood Shores Municipal Utility Division Board shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Service discontinued under such circumstances shall be restored only upon payment of a reconnection charge, hereby established at \$50.00 and any other costs incurred by the Westwood Shores Municipal Utility District Board in discontinuing service. In addition, suitable assurance must be given to the Westwood Shores Municipal Utility District Office that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court. Three or more violations will constitute pulling of water meter and a fee of \$350.00 will be charged to reinstall water meter.
- (c) Any person, including a person classified as a water customer of the Westwood Shores Municipal Utility District, in apparent control of the property where violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parent's control shall constitute a rebuttable presumption. that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

CITATION:

Any employee of the Westwood Shores Municipal Utility District, police officer, or other law officer employee designated by the Westwood Shores Municipal Utility District, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, The offense charged, and shall direct him/her to appear in the Justice of the Peace Precinct # 2 on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon

delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in Justice of the Peace, Precinct # 2 to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in the Justice of The Peace, Precinct #2, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in Justice of The Peace, Precinct # 2 before all other cases.

SECTION XII: VARIANCES

The Westwood Shores Municipal Utility Board, 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 achieve the same level as reduction in water use.

Persons requesting an exemption from the provision of this Ordinance shall file a petition for variance with the Westwood Shores Municipal Utility District Board within 5. days after the Plan or .a -particular drought response state has been invoked. All petitions for variances shall be reviewed by the Westwood Shores Municipal Director/President, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provisions(s) of the Plan 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 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 Westwood Shores Municipal Utility District Board shall be subject to the following conditions, unless waived or modified by the President/Director 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.

Section XIII. Severability

It is hereby declared to be the intention of the Westwood Shores Municipal Utility District that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the Westwood Shores Municipal Utility District without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.