

ORDINANCE No. 2019-020

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF HITCHCOCK, TEXAS ADOPTING A DROUGHT CONTINGENCY PLAN

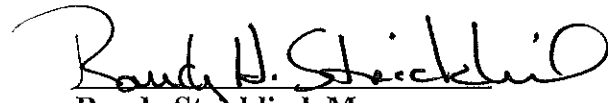
WHEREAS, 30 T.A.C., Section 288.30(3)(B) of the Rules of the Texas Commission on Environmental Quality (the "TCEQ") requires all retail public-water suppliers with less than 3,300 connections to prepare and adopt a drought contingency plan to be available for inspection by the Executive Director of the TCEQ upon request, for implementation during periods of water shortage and drought; and

WHEREAS, the City Commissioners of the City of Hitchcock, Texas has determined that the adoption of a Drought Contingency Plan is required and is necessary.

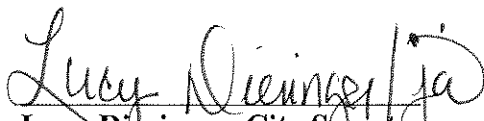
NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HITCHCOCK, TEXAS, THAT:

The City of Hitchcock's Code is hereby adopting the Drought Contingency Plan attached hereto as Exhibit "A".

PASSED AND APPROVED this the 15th day of July, 2019.


Randy Strickland, Mayor
City of Hitchcock

ATTEST:


Lucy Dieringer, City Secretary
City of Hitchcock

APPROVED AS TO FORM:

Kyle L. Dickson, City Attorney
City of Hitchcock

Texas Administrative Code

Next Rule>>

TITLE 30

ENVIRONMENTAL QUALITY

PART 1

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 288

WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS

SUBCHAPTER B

DROUGHT CONTINGENCY PLANS

RULE §288.20

Drought Contingency Plans for Municipal Uses by Public Water Suppliers

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

(i) reduction in available water supply up to a repeat of the drought of record;

(ii) water production or distribution system limitations;

(iii) supply source contamination; or

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) **The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.**

EXHIBIT "A"

ARTICLE I

DECLARATION OF POLICY, PURPOSE AND INTENT

In order to conserve the available water supply and protect the integrity of water-supply facilities, with particular regard for domestic water use, sanitation, 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 City hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Plan are considered to be nonessential and continuation of such uses during times 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 VI of this Plan.

ARTICLE II
DEFINITIONS

SECTION 2.1: DEFINITIONS.

A. The following terms shall have the meaning assigned to them below:

1. "**Aesthetic water use**" means water used for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.
2. "**Commercial and institutional water use**" means water which is integral to the operations of commercial and nonprofit establishments, and governmental entities such as a retail establishments, hotels and motels, restaurants, and office buildings.
3. "**Conservation**" means 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.
4. "**Customer**" means any person, company, or organization using water supplied by the City.
5. "**Domestic water use**" means 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.
6. "**Even-numbered address**" means street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, and 8, and locations without addresses.
7. "**G.C.W.A**" means the Gulf Coast Water Authority.
- B. "**Industrial water use**" means the use of water in processes designed to convert materials of lower value into forms having greater usability and value.
9. "**Landscape irrigation use**" means water used for the irrigation and maintenance of landscape areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

10. "**Nonessential water use**" means 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;
- 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 purpose 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.

11. "**Odd-numbered address**" means street addresses, box number, or rural postal routes ending in 1, 3, 5, 7, and 9.

ARTICLE III
IMPLEMENTATION

SECTION 3.1: PUBLIC INVOLVEMENT.

Opportunity for the public to provide input into the preparation of the Plan was provided by the City by means of scheduling and providing notice of a public meeting to accept input on the Plan.

SECTION 3.2: PUBLIC EDUCATION.

The City 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 (i) direct mailing of brochures, water bill inserts or newsletters to water users regarding the City's water-conservation program; (ii) public meetings and events; and/or (iii) posters or public displays.

SECTION 3.3: COORDINATION WITH REGIONAL WATER-PLANNING GROUPS.

The service area of the City is located within Texas Water Development Board-Houston Region H, and the City has provided a copy of this Plan to Region H Water Planning Group.

SECTION 3.4: AUTHORIZATION.

The Water Plant Operator is hereby authorized and directed to implement the applicable provisions of this Plan upon determination by the City Commissioners that such implementation is necessary to protect public health, safety, and welfare. The Commission, or its designee, shall have the authority to initiate or terminate drought or other water-supply emergency response measures as described in this Plan.

SECTION 3.5: APPLICATION.

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

ARTICLE IV
CRITERIA FOR INITIATION AND TERMINATION
OF DROUGHT RESPONSE STAGES

The City's Water Plant Operator shall monitor water supply and/or demand conditions on a monthly 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 system-capacity limits, and the water levels in the City's well.

SECTION 4.1: STAGE 1 TRIGGERS--MILD WATER-SHORTAGE CONDITIONS.

- A. **Requirements for Initiation.** Customers shall be requested to voluntarily conserve water and adhere to prescribed restrictions on certain water uses, defined in Section 2.1--Definitions when the average run time for the City's water wells are at or above sixteen (16) hours for three (3) consecutive days; or G.C.W.A. notifies the City of a Stage 1 Water Shortage.
- B. **Requirements for Termination.** Stage 1 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of thirty (30) consecutive days.

SECTION 4.2: STAGE 2 TRIGGERS--MODERATE WATER-SHORTAGE CONDITIONS.

- A. **Requirement for Initiation.** Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 2 of this Plan when the average run time for the City's wells are at or above eighteen (18) hours for three (3) consecutive days; or the City exceeds 95 percent (95%) of the G.C.W.A. contract for four (4) consecutive days; or the City exceeds 100 percent (100%) of the G.C.W.A contract; or G.C.W.A. notifies the City of a Stage 2 Water Shortage.

B. Requirements for Termination. Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

SECTION 4.3: STAGE 3 TRIGGERS--SEVERE WATER-SHORTAGE CONDITIONS.

- A. Requirements for Initiation. Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 3 of this Plan when the average run time for the City's wells are at or above twenty (20) hours for three (3) consecutive days; or the City exceeds 100 percent (100%) of the G.C.W.A contract; or G.C.W.A notifies the City of a Stage 3 Water Shortage.
- B. Requirements for Termination. Stage 3 of the Plan may be rescinded when all of conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative if applicable.

SECTION 4.4: STAGE 4 TRIGGERS--CRITICAL WATER-SHORTAGE CONDITIONS.

- A. Requirements for Initiation. Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 4 of this Plan when the average run time for the City's wells are at or above twenty-two (22) hours for three (3) consecutive days; or when any of the water-plant facilities cannot meet the water-supply demand; or G.C.W.A notifies the City of a Stage 4 Water Shortage.
- B. Requirements for Termination. Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 4, Stage 3 becomes operative if applicable.

SECTION 4.5: STAGE 5 TRIGGERS--EMERGENCY WATER-SHORTAGE CONDITIONS.

- A. **Requirements for Initiation.** Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the City, or its designee, determines that a water-supply emergency exists based on: (i) major waterline breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or (ii) natural or manmade contamination of the water-supply source(s).
- B. **Requirements for Termination.** Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 5, Stage 4 becomes operative.

**ARTICLE V
DROUGHT-RESPONSE MEASURES**

SECTION 5.1: IMPLEMENTATION.

The City's Water Plant Operator shall monitor water-supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section IV of this Plan, shall determine that a moderate, severe, or critical/emergency condition exists and shall implement the notification procedures set forth in this Article.

SECTION 5.2: NOTIFICATION.

- A. **Notification of the Public.** The City Secretary shall notify the public by means of any of the following:
1. publication in a newspaper of general circulation;
 2. direct mail to each Customer;
 3. public-service announcements; or
 4. signs posted in public places.
- B. **Additional Notification.** The Commission shall notify directly or cause to be notified directly the following individuals and entities as deemed necessary by the City Commission:
1. County Judge and County Commissioner(s);

2. Texas Commission on Environmental Quality (required when mandatory restrictions are imposed);
3. Major water users;
4. Critical water users, i.e., hospitals;
5. Parks/street superintendents and public-facilities managers; or
6. Fire Chiefs.

SECTION 5.3: STAGE 1 RESPONSE--MILD WATER-SHORTAGE CONDITIONS.

- A. **Target.** The City will seek to achieve a voluntary 3-percent (3%) reduction in daily-water demand.
- B. **Best Management Practices for Supply Management.** The City shall reduce or discontinue flushing of water mains, activation, and use of an alternative supply source(s).
- C. **Voluntary Water-Use Restrictions for Reducing Demand:**
 1. Water Customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for Customers with a street address ending in an even number (0, 2, 4, 6, or 8); and Saturdays and Wednesdays for Water Customers with a street address ending in an odd number (1, 3, 5, 7, or 9), and to irrigate landscapes only between the hours of midnight and 10 a.m., and 8 p.m. to midnight on designated watering days.
 2. All operations of the City shall adhere to water-use restrictions prescribed for Stage 2 of the Plan.
 3. Water Customers are requested to practice water conservation and to minimize or discontinue water use for nonessential purposes.

SECTION 5.4: STAGE 2 RESPONSE--MODERATE WATER-SHORTAGE CONDITIONS.

- A. **Target.** The City shall seek to achieve an 8-percent (8%) reduction in daily-water demand.
- B. **Best Management Practices for Supply Management.** The City shall reduce the system pressure at the water plant or plants to 55 psi.
- C. **Water-use Restrictions for Demand Reduction.** Under threat of penalty for violation, the following water-use restrictions shall apply to all persons:
1. Irrigation of landscaped areas with hose-end sprinklers or automatic-irrigation systems shall be limited to Sundays and Thursdays for Customers with a street address ending in an even number (0, 2, 4, 6, or 8), and Saturdays and Wednesdays for Water Customers with a street address ending in an odd number (1, 3, 5, 7, or 9), and irrigation of landscaped areas is further limited to the hours of midnight until 10 a.m., and between 8 p.m. and midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a handheld hose, a faucet-filled bucket, or watering can of five (5) gallons or less, or drip-irrigation system.
 2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle except on designated watering days between midnight until 10 a.m., and between 8 p.m. and midnight. Such washing, when allowed, shall be done with a handheld bucket or a handheld hose equipped with a positive-shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial carwash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
 3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of midnight until 10 a.m., and between 8 p.m. and midnight.
 4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where

necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

5. Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City.
6. Use of water for irrigation of golf-course greens, tees, and fairways is prohibited except on designated watering days between the hours of midnight and 10 a.m., and between 8 p.m. and midnight. However, if the golf course utilizes a water source other than that provided by the City, the facility shall not be subject to these regulations.
7. All restaurants are prohibited from serving water to patrons except upon request of the patron.
8. The following uses of water are defined as nonessential, and are prohibited:
 - a. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hand-surfaced areas;
 - b. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - c. use of water for dust control;
 - d. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - e. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

SECTION 5.4: STAGE 3 RESPONSE--SEVERE WATER-SHORTAGE CONDITIONS.

- A. **Target.** The City shall seek to achieve a 12-percent (12%) reduction in daily-water demand.
- B. **Best Management Practices for Supply Management.** The City shall seek to reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public-landscaped areas, use an alternative water-supply source, or use reclaimed water for nonpotable purposes.

C. Water-use Restrictions for Demand Reduction. All requirements of Stage 2 shall remain in effect during State 3 except:

1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of midnight until 10 a.m., and between 8 p.m. and midnight, and shall be by means of handheld hoses, handheld buckets, drip irrigation, or permanently installed automatic-sprinkler systems only. The use of hose-end sprinklers is prohibited at all times.
2. The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the City.
3. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

SECTION 5.5: STAGE 4 RESPONSE--CRITICAL WATER-SHORTAGE CONDITIONS.

A. Target. The City shall seek to achieve a 15-percent (15%) reduction in daily-water demand.

B. Best Management Practices for Supply Management. The City shall seek to reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public-landscaped areas, use an alternative water-supply source, or use reclaimed water for nonpotable purposes.

C. Water-use Restrictions for Reducing Demand. All requirements of Stages 2 and 3 shall remain in effect during Stage 4 except:

1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6 a.m. and 10 a.m., and between the hours of 8 p.m. and midnight, and shall be by means of handheld hoses, handheld buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic-sprinkler systems is prohibited at all times.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle not occurring on the premises of a commercial carwash and commercial service station, and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial carwashes and commercial

service stations shall occur only between the hours of 6 a.m. and 10 a.m., and between 6 p.m. and 10 p.m.

3. The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
5. No application for new, additional, expanded, or increased-in-size water-service connections, meters, service lines, pipeline extensions, mains, or water-service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought-response stage or a higher-numbered stage shall be in effect.

SECTION 5.6: STAGE 5 RESPONSE--EMERGENCY WATER-SHORTAGE CONDITIONS.

- A. **Target.** The City shall seek to achieve an 18-percent reduction in daily water demand.
- B. **Best Management Practices for Supply Management.** The City shall seek to reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public-landscaped areas, use an alternative supply source, or use reclaimed water for nonpotable purposes.
- C. **Water-Use Restrictions for Reducing Demand.** All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:
 1. Irrigation of landscaped areas is absolutely prohibited.
 2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is absolutely prohibited.

SECTION 5.7: IMPLEMENTATION.

Without limitation to specific actions stated in this Plan to be taken by the City's Water Plant Operator, the City's Water Plant Operator will administer and enforce this Plan, and will oversee and be responsible for the execution and implementation of all elements of this Plan. The Water Plant Operator shall keep adequate

records for Plan verification. The City's Water Plant Operator shall report to the City Commission, at meetings of the City Commission, regarding actions taken and which need to be taken under this Plan. Without limiting the foregoing, the City's Water Plant Operator shall advise the Mayor (or if the Mayor is unavailable to receive notification, Mayor Pro-Tem of the City Commission) as soon as reasonably practical when conditions require implementation of particular stages of this Plan.

ARTICLE VI
ENFORCEMENT

SECTION 6.1: PENALTIES.

The following penalties shall apply to any Customer violating the terms of this Plan:

- A. **First Violation.** Any Customer who violates this Plan shall receive written notification of such violation, which notice shall set forth (i) the date of the violation; (ii) the nature of the violation; (iii) the drought-response measures then in effect; and (iv) the penalties applicable for any further violations of this Plan; provided, however, that if such person or entity has ever previously violated this Plan, the penalties set forth in Subsection "B" below, may, in the discretion of the City, be imposed.
- B. **Subsequent Violations.**
1. **Monetary Penalties for Noncompliance.** If any person or entity violates provision of this Plan more than one time (which violation shall constitute unauthorized use of City services and/or facilities), then the City Commission may impose a penalty pursuant to the provisions of the City's Rate Order regarding penalties for violations. Each day that a breach of any provision of this Plan continues shall be considered a separate violation. This penalty shall be in addition to any other legal rights and remedies of the City as may be allowed by law.
 2. **Disconnection for Noncompliance.** If any person or entity violates any provision of this Plan more than two (2) X (times) (which violation shall constitute an unauthorized use of City services and/or facilities), then, in addition to any other remedies, penalties, sanctions, and enforcement procedures provided for herein, the City shall have the right to terminate water service to such person or entity after notice and any

other procedural requirements in the City's Rate Order are satisfied.

3. **Payment of Expenses.** Any person or entity that violates any provision of this Plan shall reimburse the City for any and all expenses incurred by the City, including reasonable attorneys' fees, in enforcing the terms of this Plan.

SECTION 6.2: REMEDIES CUMULATIVE.

All rights, remedies, sanctions, penalties, and enforcement procedures provided for in this Plan are cumulative. In addition, the City shall have and may exercise and enforce any and all rights and remedies provided by law or in equity.

ARTICLE VII
VARIANCES

SECTION 7.1: VARIANCES.

The City's Water Plant Operator 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 Order shall file a petition for variance with the City within five (5) days after the Plan or a particular drought-response stage has been invoked. All petitions for variances shall be reviewed by the City Commission and shall include the following:

1. Name and address of petitioner(s);
2. Purpose of water use;
3. Specific provision(s) of the Plan from which the petitioner is requesting relief;

4. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with the Order;
5. Description of the relief requested;
6. Period of time for which the variance is sought;
7. Alternative water-use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan, and the compliance date; and
8. Other pertinent information.

Variations granted by the City shall be subject to the following conditions, unless waived or modified by the City Commission:

1. Variations granted shall include a timetable for compliance.
2. Variations 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 variance.

ADOPTED this ____ day of _

Dorothy Childress
Mayor, City of Hitchcock

ATTEST:

Lucy Dieringer
City Secretary