

ORDINANCE No. 15-023

APPROVING AMENDMENTS TO THE CITY OF LEON VALLEY CODE OF ORDINANCES, CHAPTER 13 UTILITIES, ARTICLE 13.11 WATER CONSERVATION AND DROUGHT MANAGEMENT, SECTIONS 13.11.032, 13.11.073, 13.11.074 (A), (B), (C), (D), (3), AND TO ADD A SECTION 13.11.074 (7) USE OF RECYCLED WATER.

WHEREAS the City of Leon Valley is committed to water conservation and drought management in an effort to provide its citizens with a superior rated water utility, and an adequate supply of water from the Edwards Aquifer; and

WHEREAS a portion of the City of Leon Valley is serviced by the San Antonio Water System, and these amendments will bring uniformity of water restrictions for Leon Valley residents serviced by both the San Antonio Water System and the City of Leon Valley water utility;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS THAT:

SECTION I. That the City Council of the City of Leon Valley hereby approves these Amendments to Chapter 13 Utilities Article 13.11 Water Conservation and Drought Management as follows:

- a. Section 13.11.032, Use of sprinklers prohibited during certain hours, to delete "hours of 10:00 a.m. through 8:00 p.m.", and replace with "hours of 11:00 a.m. through 7:00 p.m."
- b. Section 13.11.073 revise "Watering Day to delete "A day designated for landscape watering, limited to the morning hours from midnight to 10:00 a.m. and the evening hours of 8:00 p.m. to midnight. Thus, if Saturday morning is a designated watering day, the period of time referenced is Saturday morning between 12 a.m. to 10 a.m., and Saturday evening between 8:00 p.m. and midnight", and replace with "Watering Day. A day designated for landscape watering limited to the standard 24-hour period of 12:00 a.m. to midnight. Thus, if it is Stage I and Wednesday is a designated watering day, the period of time referenced is Wednesday morning between 12:01 a.m. to 11:00 a.m., and Wednesday evening between 7:00 p.m. and midnight."
- c. Section 13.11.074 Demand Reduction Measures, (A) Stage I, delete "Any day following a day when the J-17 well level is at or below 660 ft. msl and above 650 ft. msl" and replace with "Stage I water use reduction measures shall be declared to be in effect when the aquifer level at the J-17 well drops to six hundred sixty (660) feet above msl (mean sea level), based on a 10 day rolling average calculated and determined by the Edwards Aquifer Authority."

d. Section 13.11.074 Demand Reduction Measures, (B) Stage II, delete "Any day following a day when the J-17 well level is at or below 650 ft. msl and above 640 ft. msl" and replace with "Stage II water use reduction measures shall be declared to be in effect when the aquifer level at the J-17 well drops to six hundred fifty (650) feet above msl based on a 10 day rolling average calculated and determined by the Edwards Aquifer Authority."

e. Section 13.11.074 Demand Reduction Measures, (C) Stage III delete "Emergency spring flow protection measures. Stage III applies on any day following a day when the J-17 well level is at or below 640 ft. msl", and replace with "Stage III water use reduction measures may be implemented when the J-17 well falls to six hundred forty (640) feet above msl based on a 10 day rolling average calculated and determined by the Edwards Aquifer Authority."

f. Section 13.11.074 Demand Reduction Measures, (D) Stage IV delete "Any day following a day when the J-17 well level is at or below 630 ft. msl", and replace with "Stage IV water use reduction measures may be declared if the total supply of water from the Edwards Aquifer is insufficient to meet customer demand, even while complying with lesser restriction stages."

g. Section 13.11.074 (3) Watering restrictions, remove "(i) landscape watering with an irrigation system or sprinkler is permitted one day per week before 10:00 a.m. or after 7:00 p.m. on your designated watering day", and replace with "landscape watering with an irrigation system or sprinkler is allowed only once a week before 11:00 a.m. or after 7:00 p.m. on your designated watering day, in accordance with the last digit of the property address as follows."

h. Section 13.11.074 (3) Watering restrictions (A) (iv), delete "Athletic fields may not irrigate between 10:00 a.m. and 8:00 p.m.", and replace with "Athletic fields may not irrigate between 11:00 a.m. and 7:00 p.m."

i. Section 13.11.074 (3) Watering restrictions (B) Stage II restrictions (i), delete "Landscape watering is permitted one day per week in accordance with Stage I watering days only between the hours of 3:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. Landscape watering by means of a properly installed irrigation system, sprinkler or soaker hose is permitted on the authorized watering day during the designated hours listed in this subsection. Watering with drip irrigation or 5 gallon bucket is permitted any day, but only between 3:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. Watering with a handheld hose is allowed any time on any day", and replace with "Landscape watering is permitted once a week from 7:00 – 11:00 a.m. and 7:00 – 11:00 p.m. Landscape watering by means of a properly installed irrigation system, sprinkler or soaker hose is permitted on the authorized watering day during the designated hours listed in this subsection. Watering with drip irrigation or 5 gallon

bucket is permitted any day, but only between 7:00 - 11:00 a.m. and 7:00 - 11:00 p.m. Watering with a handheld hose is allowed any time on any day.”

j. Section 13.11.074 (3) Watering restrictions (C) Stage III restrictions (ii), delete “Irrigation with a soaker hose, hose end, sprinklers or in ground irrigation system is allowed only every other week, beginning on the second Monday after Stage III has been declared, and only then from 3:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. on your designated watering day. Watering by drip irrigation system or 5 gallon bucket is allowed every Monday, Wednesday and Friday but only during Stage III hours. Landscape irrigation with a handheld hose is allowed at any time on any day”, and replace with “Landscape watering allowed only every other week with an irrigation system, sprinkler or soaker hose from 7:00 to 11:00 a.m. and 7:00 to 11:00 p.m. on your designated watering day, as determined by your address. Watering with drip irrigation is allowed every Monday, Wednesday and Friday, but only from 7:00 – 11:00 a.m. and 7:00 – 11:00 p.m.”

l. Add a Section 13.11.074 as follows: “(7) Use of recycled water. The use of recycled water may be used to irrigate any day between the hours of 7:00 p.m. and 11:00 a.m. without waste. Signs identifying property as using a recycled water source must be posted on site at a location where the general public can view it.”

SECTION II. Article 13, Section 13.11.076, Penalties, of the City of Leon Valley City Code is applicable to these amendments.

SECTION III. All provisions of the Code of Ordinances of the City of Leon Valley codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Leon Valley codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION IV. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

SECTION V. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION VI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 5th day of October, 2015.

APPROVED

Chris Riley

CHRIS RILEY
MAYOR

Attest: *Sandra Passailaigue*
SAUNDRA PASSAILAIGUE, TRMC
City Secretary



Approved as to Form:

Patrick Bernal
PATRICK BERNAL
City Attorney