

**City of Tomball**  
**501 James St. / Tomball, TX 77375**  
**Phone: 281-290-1424 or 281-290-1401**  
**Fax: 281-351-4735**

## **Application for Utility Services**

Please read the following information before completing the application for utility services because your signature verifies that you have read our City Ordinances.

All garbage services are contracted through Waste Corporation of America. Garbage bags can be picked up once a year at the Public Works Administration Building. If you run out of City garbage bags you may purchase more at the Public Works Department or you may use the plastic ones that may be purchased from a number of stores. Garbage cans will not be picked up or may be discarded with the trash, depending on the driver. Pick up days are on Monday's and Thursday's. If you want to recycle, the bins are picked up on your first pick up day of the week. Items for recycling are newspaper, plastic containers (type 1 or 2 only), and aluminum. Heavy items are handled on your second pick up day of the week. Limbs cannot be over 4 feet in length and the pile cannot be over 4 x 4 x 4. All garbage must be placed at the curb no later than 7:00am on your scheduled day.

All utility bills, both residential and commercial, shall be due and payable on the last business day of each month at the close of that day, or the last workday prior to the last day of the month, if such day falls on a weekend or holiday. Two (2) days after the due date a cut-off notice shall be delivered to the customer giving them seven (7) days to pay the charges from the date of the notice. At that time the utilities will be disconnected and a \$50.00 charge will be added to your bill. Please do not try to turn the meters on or off as the Public Works Department staff is the only department that is authorized to do so. Should the meter be turned on or off by anyone other than

those persons authorized, you will be charged with meter tampering, and a penalty fee of \$200.00 will be added to your bill.

Attached please find your application and additional information. If you are over 65 years of age or disabled please ask for the Senior Citizen Form so that you will not be charged a penalty if not paid by the last working day of the month. All other customers will be charged a 10% penalty if the entire balance of the account is not paid by the time specified in the previous paragraph.

If you are a Commercial customer you will be required to pay a deposit that is equal to two (2) times the average monthly billing of the previous occupant or \$125.00, whichever is greater. If you are residential and renting the property you will be required to pay a deposit that is equal to two (2) times the average monthly billing of the previous occupant or \$100.00, whichever is greater. All homeowners are required to supply a complete copy of the Deed of Trust to be exempt from paying the deposit.

Those persons wishing to mail payments will find that the remittance address is located on the top left portion of the bill. For your convenience we have a Night-drop on the east side of the Public Works building parking lot for those who are not able to make their payments during the City business hours and prefer to not use the postal system. There is also a Drive-thru on the east side of the Public Works building that is open from 7:45am to 5:00pm Monday thru Thursday and until 4:00pm on Fridays. Also visit our website to pay online at [www.ci.tomball.tx.us](http://www.ci.tomball.tx.us). We also take Mastercard or Visa over the telephone at no extra charge.

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## EXCESS FLOW VALVE REQUEST

I, (Name) (Print) \_\_\_\_\_ of (Address) \_\_\_\_\_  
\_\_\_\_\_ Tomball, Texas, \_\_\_\_\_ Do \_\_\_\_\_ Do Not request that  
an EFV be installed at the above address. Payment of \$50.00 Is \_\_\_\_\_  
Is not \_\_\_\_\_ included with this request form.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_

\*Please attach a check or payment of \$50.00 or quoted price if an existing service.

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For City Use Only:

Acct.# \_\_\_\_\_

Installed Date: \_\_\_\_\_

Installed By: \_\_\_\_\_

Routing Instructions: \_\_\_\_\_

“Do Not” forms to file (Dispatch Clerk)

- “Do” forms to
1. Office for payment
  2. Superintendent for installation
  3. After installation info filled in to file (Dispatch Clerk)

## **Highlights of the Final Rule on Customer Notification**

1. New Section 192.383 is added to 49 C.F.R. part 192.
2. Gas utilities must provide written notification to only those customers who will have a newly installed service line or replaced service line that operates continuously throughout the year at a pressure not less than 68.9 kPa (10 psig) and that serves a single residence.
3. Customers deciding to have an EFV installed must pay the cost of parts, labor, inventory and procurement. Furthermore, the customer must pay for the maintenance and replacement costs when they are incurred.
4. Replaced service line means a natural gas service line where the fitting that connects the service line to the main is replaced or the piping connected to this fitting is replaced.
5. Service line customer means the person who pays the gas bill, or where service has not yet been established the person requesting service.
6. The notice must include (1) that EFVs are available if the customer bears the cost; (2) an explanation for the customer of the potential safety benefits and limitations, if applicable, that may be derived from installing an excess flow valve; and (3) a description of installation, maintenance, and replacement costs.
7. After February 3, 1999 an operator must notify each new service and replaced service lines customer. On new service lines-when the customer applies for service. On replaced service lines-when the operator determines the service line will be replaced. If a service line customer requests installation an operator must install the EFV at a mutually agreeable date.
8. For purposes of compliance, gas utilities must make available the copy of the notice currently in use and evidence that the notice is being sent to new services and replaced service line customers.
9. Notification is not required if (1) EFVs are already being installed (i.e. at the operator's discretion or the local jurisdiction requires installation); (2) EFVs meeting the performance standards are not available; (3) the operator has prior experience with contaminants in the gas stream that could interfere with the operation of an excess flow valve; and (4) an emergency or short time notice replacement situation made it impractical for the operator to notify a service line customer before replacing a service line.

**RE: Excess Flow Valve Installations – New and Replacement Services**

Dear Valued Customer:

City of Tomball as your provider of natural gas is offering the installation of excess flow valves (EFV's) to all new and replacement service line customers beginning February 3, 1999 ( a service line is the line extending from the street, alley or right of way to the gas meter). This offer is in compliance with new state and federal regulations.

An excess flow valve is a device which is installed in the service line close to where it connects to a main in the street, etc. Should the line be cut or meter loop severely damaged, the valve is designed to automatically limit the free flow of gas through the damaged line thus reducing the chances of accidental ignition and or explosion.

Under the law, we must offer to install the EFV at your expense, but you may accept or reject the offer. Although the City of Tomball has not experienced a great deal of exposure in this area, nonetheless we agree that EFV's offer another layer of protection and safety to you and your property.

The City of Tomball charges a tap fee for new services. If you select the EFV, an additional charge of \$50.00 must be received to cover the purchase of a valve and the labor costs to install it. In the future you may incur additional charges if maintenance or replacement of the EFV is needed. These costs will be based on material and labor costs at that time.

Should you be a customer with an existing service line and wish to have the City of Tomball install an EFV, an additional cost may need to be imposed due to extra digging and perhaps road surfacing replacement. There will be an estimation based upon actual conditions and a quote provided to you prior to any installation.

Once you have decided, please complete the attached form and return it to the City of Tomball Utility Department. You must return the form, even if you do not want the EFV. Should you have additional questions, please don't hesitate to contact us at (281) 351-5484.

R. T. Sanders  
Utility Superintendent

Xc: Julie Stafford, Utility Supervisor  
Mary Coker, Assistant City Manager  
Mark McClure, Director of Public Works

# City of Tomball

501 James St., Tomball, TX 77375  
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 Fax: 281-351-4735

## Application for Utility Service

Date to Start Service:		Service Address:	
Name:			
Mailing Address:			
City:	State:	Zip Code:	Home Phone:
This account is to remain under the State of Texas Confidentiality Guidelines			Yes    No
Owner/Occupant Signatures:			
Social Security # or Business I.D.:			
Drivers License # and State:			
Birth Date:			
Employer:			
Work Phone Number:			

**Please check the appropriate categories below:**

Commercial	Residential	Buying	Renting
Landlord Name:		Landlord Phone Number:	

**Commercial Customers only please specify type of garbage to be used:**

<b>Polycart</b>	<b>Dumpster</b>	<b>Roll-off</b>
	Size:	Size:
Number of pickups per week:	Number of pickups per week:	Please call USA Waste for pickup
<b>Residential Customers:</b> Do you want a recycle bin? (please check)		Yes    No

**FOR OFFICE USE ONLY:**

Account Number:		Water Service:	Yes	No
Work Order #:	Job Code #:	Sewer Service:	Yes	No
Deposit Amount/Deed:		Garbage Service:	Yes	No
Deposit Receipt Number:		Gas Service:	Yes	No
Application Taken By:		Gas Mercury Test Required:	Yes	No

# City of Tomball

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## AUTOMATIC BANK DRAFT AUTHORIZATION FORM

**BANK DRAFT WILL DRAWN ON THE 28<sup>TH</sup> OR THE LAST BUSINESS DAY BEFORE THE 28<sup>TH</sup>.**

Please complete the following information and mail, fax or bring into the City of Tomball at the address or fax listed above. Please note that it will take 60 days / 2 months for the draft to take in effect.

\_\_\_\_\_  
Name(s) Shown on City of Tomball Invoice

\_\_\_\_\_  
City of Tomball Account Number

\_\_\_\_\_  
Service Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Bank Name

\_\_\_\_\_  
Name(s) listed on the Bank Account

\_\_\_\_\_  
Bank Account Number

\_\_\_\_\_  
Daytime Phone Number

\_\_\_\_\_  
Evening Phone Number

Check One:      \_\_\_\_\_ Checking Account      \_\_\_\_\_ Saving Account

I authorize City of Tomball to debit the account indicated above in the amount of my monthly invoice. In addition, I understand that any previous balances due to City of Tomball will be withdrawn from my account, along with my first invoice, on the initial draft date.

I agree that my City of Tomball monthly invoice, together with this authorization form, will be notice of the amount and the date of each withdrawal from my account. I understand that I may withdraw from the automatic bank draft plan 10 business days prior to the next bank draft effective date upon written notice to City of Tomball and that the City may terminate the automatic bank draft plan or my participation in the plan at any time.

I understand that my bank account information will be used only for the purpose of setting up my automatic payment to City of Tomball and that the City will keep my bank account information confidential. **Please include a voided check with this form.**

\_\_\_\_\_  
Bank Account Holder Signature(s)

\_\_\_\_\_  
Today's Date

## CITY OF TOMBALL

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## SENIOR CITIZEN PROGRAM OR DISABILITY APPLICATION FOR DISMISSED PENALTY CHARGES

The City of Tomball is aware of the fixed income status of its senior citizens over 65 years of age and being on disability. Because the majority of these persons receive their income after the utility billing due date, the city may, at their discretion, dismiss the late penalties for the current billing cycle. A copy of a Texas Driver's License or Texas Identification Card will be required and for the disabled we will need a copy of your papers from Social Security showing disability held on file in the Utilities Department.

Service Address:	
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NAME:			
	(Last)	(First)	(Initial)

Date of Birth:		Social Security Number:	
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Signature of Applicant:	
Date of Application:	

**FOR OFFICE USE ONLY:**

	Account Number:	
Application Taken By:		
Application Received On:		
Application Approved On:		

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**AVERAGE MONTHLY PAYMENT PLAN APPLICATION**  
After 1 year

The Average Monthly Payment (AMP) Plan is designed so that the program will average your last twelve (12) months to arrive at a more balanced monthly payment over a year's time. To eliminate the need for an annual adjustment your payment is perpetually averaged each month for the last twelve (12) months of activity. In order to qualify for enrollment you must have lived at your service address for at least twelve billing cycles.

	Account Number:	
Service Address:		

NAME:			
	(Last)	(First)	(Initial)

Signature of Applicant:	
Date of Application:	

**FOR OFFICE USE ONLY:**

Application Taken By:	
Application Received On:	

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**Application for Termination of Utility Service**

Account Number:		Service Address:		
Termination Date:		Please Check ▸	Morning	Afternoon

Owner/Occupant Name Printed:		
Owner/Occupant Signatures:		
Signature Date:		
Future Mailing Address:		
Future Contact Phone Number:		
Future Employer:		
Future Work Number:		

Additional Information:	

**FOR OFFICE USE ONLY:**

Application Taken By:	
Application Received On:	
Work Order & Job Code Numbers:	

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**ROLL-OFF SERVICE STANDARDS**

To better service your account, please follow the guidelines below:

1. Distribute the load of materials evenly into the container.
2. Do not load the materials above the sides of the container.
3. We must comply with legal road weight limits. Do not over fill the container with heavy material such as concrete or dirt. Consult with the City of Tomball representative if you have heavy materials to dispose of.
4. Please call our dispatch office (713) 686-6666 at least 24 hours in advance, to schedule pickups or the removal of the container.
5. Should the City's contractor not be able to service your account because the container is over-loaded, stacked too high or blocked, you may be subject to a dead run charge of \_\_\_\_\_.
6. Should you have any questions before this order is processed, please contact the Permits and Utilities office.

Signature of Applicant:	
Printed Name of Applicant:	
Date of Application:	
Application Received By:	
Application Received On:	

**CITY OF TOMBALL**

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**CONTAINER PLACEMENT**

Service location name (name of Business): \_\_\_\_\_

Service address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone: \_\_\_\_\_

Additional Contact: \_\_\_\_\_ Telephone: \_\_\_\_\_

Will this person or other responsible party be at the service location to accept delivery? Y/N

Please draw a map of service site, (required). Be as specific as possible if container location is critical. Please note that if no one is available to accept the delivery or no site map is provided you will be subject to a relocation fee if the container must be relocated on the site.

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North  
+  
South

**ORDINANCE NO. 2009-27**

**AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR POTABLE WATER, SANITARY SEWER, NATURAL GAS, AND GARBAGE COLLECTION AND DISPOSAL SERVICES; REPEALING ORDINANCE NO. 2008-24 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING OTHER MATTERS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY**

\* \* \* \* \*

WHEREAS, pursuant to Section 82-50 of the Code of Ordinances of the City of Tomball, Texas, the City Council is to establish rates and charges for utility services provided by the City; and

WHEREAS, pursuant to Section 62-37 of the code of Ordinances of the City of Tomball, Texas, the City Council is to establish rates and charges for garbage and trash collection and disposal services provided by the City; and

WHEREAS, the City Council now deems it necessary and appropriate to adjust such rates and charges heretofore established; now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Definitions. For the purposes of this Ordinance, the following words shall have the meanings ascribed thereto:

- a. Residential shall mean a residential dwelling unit receiving service for which metering and billing is on an individual basis.
- b. Commercial shall mean all non-residential units, and residential units which are provided service, and are billed, collectively with one (1) or more other residential units.

Section 3. The monthly rates and charges for potable water provided by the City shall be as follows:

- a. Small Residential. A base rate of \$10.90, plus a consumption charge of \$2.85 for each 1,000 gallons used. "Small Residential" shall mean residential customers using less than 10,000 gallons or less during the billing month.

- b. Medium Residential. A base rate of \$1254, plus a consumption charge of \$3.56 for each 1,000 gallons used. “Medium Residential” shall mean residential customers using less than 11,000 gallons or more but less than 17,000 gallons during the billing month.
- c. Large Residential. A base rate of \$14.42, plus a consumption charge of \$4.45 for each 1,000 gallons used. “Large Residential” shall mean residential customers using 17,000 gallons or more during the billing month.
- d. Small Commercial. A base rate of \$18.45, plus a consumption charge of \$3.45 for each 1,000 gallons used. “Small Commercial” shall mean commercial customers using 5,000 gallons or more during a billing month.
- e. Medium Commercial. A base rate of \$29.70, plus a consumption charge of \$4.32 for each 1,000 gallons used. “Medium Commercial” shall mean commercial customers using 5,000 gallons or more but less than 51,000 gallons during a billing month.
- f. Large Commercial. A base rate of \$51.99, plus a consumption charge of \$5.40 for each 1,000 gallons used. “Large Commercial” shall mean commercial customers using 51,000 gallons or more during a billing month.
- g. Bulk Sales. A base rate of \$87.05, plus a consumption charge of \$4.83 for each 1,000 gallons used. Additionally, if a meter is desired, the deposit will be \$1,000.00.

The City collects additional surcharges, based on rates established by the North Harris County Regional Water Authority, for each 1,000 gallons used on behalf of NHCRWA, which will be adjusted as the surcharge increases.

Section 4. The monthly rates and charges for sanitary sewer services provided by the City for customers who receive potable water services from the City shall be as follows:

- a. Residential – Winter Rates (November-February): A base rate of \$8.51, plus a charge of \$2.98 for each 1,000 gallons of potable water used.

Residential – Summer Rates (March-October): Rates for summer months are calculated at the same rate as winter rates and may be based upon the previous winter months’ average monthly water consumption. The rate charged shall be the lesser of actual water consumption or the previous winter months’ average consumption.

- b. Small Commercial. A base rate of \$13.69, plus a consumption charge of \$3.78 for each 1,000 gallons of potable water used.
- c. Medium Commercial. A base rate of \$20.76, plus a consumption charge of \$4.72 for each 1,000 gallons of potable water used. “Medium Commercial” shall mean commercial customers using 5,000 gallons or more but less than 51,000 gallons in the billing month.

- d. Large Commercial. A base rate of \$43.06, plus a charge of \$5.90 for each 1,000 gallons of potable water used. “Large Commercial” shall mean commercial customers using 51,000 gallons or more of potable water during a billing month.

Section 5. The monthly rates and charges for sanitary sewer services provided by the City for customers who do not receive potable water services from the City shall be as follows:

- a. Residential. A base rate of \$35.01, plus a charge of \$2.29 for each drain in excess of ten (10) drains within such residence.
- b. Commercial. A base rate of \$58.26, plus a charge of \$2.32 for each drain in excess of fifteen (15) drains within such commercial unit

Section 6. The monthly rates and charges for garbage and trash collection and disposal services provided by the City, excluding applicable sales tax, shall be as follows:

- a. Residential. \$14.55
- b. Commercial.
  - (1) Hand Loaded. For once a week pickup, \$23.10 for the first container, \$20.74 for each additional container. For twice a week pickup, \$28.44 for the first container, \$23.47 for each additional container. Each collection of excess garbage and refuse (i.e. – garbage and refuse in volume which exceeds the capacity of the approved container(s) for which the customer’s regular billing is determined) shall be assessed a \$5.00 excess collection fee and can only be collected on Monday and Thursday collection days.

(2) Roll-Off Container (Permanent):

	Size Container in Cubic Yards		
	20	30	40
Monthly Rental	\$ 141.36	\$ 141.36	\$ 141.36
Delivery Fee	115.46	115.46	115.46
Haul & Disposal	266.00	307.77	348.87

(3) Temporary Roll-Off Container:

	Size Container in Cubic Yards		
	20	30	40
Delivery Fee	\$ 115.46	\$ 115.46	\$ 115.46
Monthly Rental <b>(Per Day Fee)</b>	4.71	4.71	4.71
Haul Rate and Disposal Fee	Quotes	Per	Job

(4) Compactor/Roll-Off Container/Equipment:

Monthly Rental	(As quoted)
Haul Rate	\$ 247.69
Disposal Fee per Ton	24.77

(5) Monthly Rate for Dumpsters:

Size	Services Per Week					
	1	2	3	4	5	6
3 yd. Container Each	\$ 73.53	\$ 116.90	\$ 176.07	\$ 220.62	\$ 274.95	\$ 330.29
Add.	38.58	83.18	116.53	154.37	186.88	218.13
4 yd. Container Each	79.54	126.54	189.31	237.59	295.12	355.69
Add.	71.13	113.25	171.20	213.24	266.42	292.42
6 yd. Container Each	103.70	161.59	243.57	305.08	381.05	455.78
Add.	91.61	145.77	219.45	274.76	332.00	410.86
8yd. Container Each	124.19	198.94	296.57	372.56	456.44	558.21
Add.	112.16	179.60	267.63	334.89	389.02	502.42

**Extra Pickup Rate**

\$25.00 For 3 yd, \$30.00 for 4 yd, \$35.00 for 6 yd, and \$45.00 for 8 yd.

(6) Locking Dumpsters – Gravity Lock System \$55.00  
Front Panel Padlock System \$40.00

(7) Exchange Charge - \$45.00

Section 7. The monthly rates and charges for natural gas provided by the City shall be as follows:

- a. All Customers. A base rate of \$12.75, plus \$12.75 for each thousand cubic feet (MCF) after the first thousand cubic feet (MCF).

Section 8. The charges for connections and disconnections of utility services provided by the City, including those provided at customer request or convenience, or as a result of delinquent accounts, shall be as follows:

- a. During Normal Scheduled Service Periods (7:00 a.m.-4:45 p.m. weekdays), a service call out fee of \$50.00, as a result of a delinquent account, or at a customer's request, excluding new service.
- b. During Unscheduled Service Periods (after hours and weekends), a service call out fee of \$100.00, at a customer's request, including new service.

Section 9. The charge for damage to utility facilities from (i) customer's tampering with valves, or (ii) customer's damaging meter in any manner, shall be \$200.00.

Section 10. Delinquent Accounts.

- a. All utility bills, both residential and commercial, shall be due and payable on the last business day of the month. If the month ends on a Saturday, Sunday, or holiday, the bill is due on the day before (the last workday of the City at closing time on that day).
- b. Residential customer who are age 65 and over or are considered disabled by Social Security may be exempt from penalty fees for late payment upon application accompanied by verifying documentation to the Utilities Supervisor. This exemption may not exceed the final date of benefits designated by the Social Security Administration.
- c. Within two (2) days following the "Due Date" a "Cut-off Notice" shall be delivered to customer giving notice that following the expiration of seven (7) days following such notice service will be discontinued unless the customer requests a hearing before the Utilities Supervisor regarding such proposed disconnection prior to the expiration of such seven (7) day period.
- d. Upon the showing of good cause and arrangement for prompt payment by a customer, the Utilities Supervisor be authorized to withdraw a disconnection order. Any such action by the Utilities Supervisor shall be evidenced in writing, outlining the basis for the decision and, if applicable, the required payment schedule for the customer. The Utilities Supervisor shall cause a copy of such order to be delivered to the appropriate billing personnel of the City.

**ORDINANCE 2009-27**

**PAGE 6**

Section 11. Repealer. City of Tomball Ordinance 2008-24, passed and approved the 15th day of September, 2008 are hereby repealed. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 12. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 13. Effective Date This ordinance shall be effective October 1, 2009.

## **NOTICE TO ALL**

STANDARD BUILDING CODE/1999  
103.7.3

**ANY PERSON WHO COMMENCES ANY WORK ON A BUILDING, STRUCTURE, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM BEFORE OBTAINING THE NECESSARY PERMIT, SHALL BE SUBJECT TO A PENALTY OF 100% OF THE USUAL PERMIT FEE IN ADDITION TO THE REQUIRED PERMIT FEE.**

**CUSTOMER-OWNED SERVICE LINES  
NOTICE TO CUSTOMERS**

Notice Pursuant to Department  
Of Transportation Regulations  
49 CFR 192.16

The City of Tomball, your natural gas supplier, is required to inform you that the buried gas piping from the gas meter to the structure(s) or gas utilization equipment is the responsibility of the property owner to maintain. If you have such piping, you should have this piping periodically inspected for leaks. If the piping is metallic, it should also be inspected for corrosion. If any unsafe condition is found, it should be repaired. Plumbing contractors are possible resources for the inspection and maintenance of your piping.

If your gas meter is next to your house or building wall and the gas piping goes directly into the structure without going underground, this notice does not apply to you.

When excavating near buried gas piping, the piping should be located in advance and the excavation done by hand.

# CITY OF TOMBALL

## WATER CONSERVATION ORDINANCES

### **Sec.82-251. 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 Drought Contingency Plan, hereafter referred to as the “Plan,” are considered to be non-essential 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 Sec. 82-259.

### **Section 82-252. Authorization.**

The Director of Public Works, or his/her designee 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 Director of Public Works or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

### **Section 82-253. 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.

### **Section 82-254. 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 that 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 the City.

**Domestic water use:** 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.

**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 and medians.

**Non-essential water use:** water uses that are not 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 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 fire fighting.

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

**Waste of water or water wasting:** the application of water, provided through the City's potable water system, to soil or to the ground, at a rate of flow that, or in quantity that, exceeds the rate of the water's absorption into the ground. The standing of water on the ground, or the running of water over the ground into a ditch or into gutter or other means of drainage, whether natural or man-made, shall be prima facie evidence that water has been applied at an excessive rate of flow and/or in an excessive quantity; provided, however, the following shall not constitute water wasting:

- (1) Inadvertent and incidental splashing or spilling of water during water applications; or
- (2) Leakage of water due to plumbing or piping disruptions or breaks, when such disruptions or breaks are promptly repaired or such repairs are promptly undertaken and diligently pursued until completion.

**Water production Capacity:** sum of the design pumping capacities of groundwater wells connected to the City water system.

## **Sec. 82-255. Criteria for Initiation and Termination of Drought Response Stages.**

The Director of Public works or his/her designee 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 design conditions and performance capabilities.

### **Stage 1 Trigger – MILD Water Shortage Conditions**

#### **Requirement for initiation**

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses defined under Stage 1 in Sec. 82-258, when total daily water demand equals or exceeds 60% of the City’s Water Production Capacity for three (3) consecutive days.

#### **Requirement for termination**

Stage 1 of the Plan may be rescinded when the triggering event condition has ceased to exist for a period of three (3) consecutive days.

### **Stage 2 Trigger – MODERATE Water Shortage Conditions**

#### **Requirement for initiation**

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses defined under Stage 2 in Sec. 82-258, when total daily water demand equals or exceeds 70% of the City’s Water Production Capacity for three (3) consecutive days.

#### **Requirement for termination**

Stage 2 of the Plan may be rescinded when the triggering event condition has ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

### **Stage 3 Trigger – SEVERE Water Shortage Conditions**

#### **Requirement for initiation**

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses defined under Stage 3 in Sec.82-258, when total daily water demand equals or exceeds 80% of the City’s Water Production Capacity for three (3) consecutive days.

#### **Requirement for termination**

Stage 3 of the Plan may be rescinded when the triggering event condition has ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

### **Stage 4 Triggers – CRITICAL Water Shortage Conditions**

### Requirement for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses defined under Stage 4 in Sec. 82-258, when total daily water demand equals or exceeds 90% of the City's Water Production Capacity for three (3) consecutive days.

### Requirement for termination

Stage 4 of the Plan may be rescinded when the triggering event condition has ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

## **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 Director of Public Works, or his/her designee, determines that a water supply emergency exists if any of the following triggers exist:

1. Total daily water demand equals or exceeds 95% of the City's Water Production Capacity for three (3) consecutive days.
2. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
3. Water supply source(s) are contaminated.

### 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 three (3) consecutive days. Upon termination of Stage 5, Stage 4 becomes operative.

## **Sec. 82-256. Wasting water; vegetative watering.**

It shall be unlawful for any person to cause, allow, or otherwise permit water wasting when applying water to grounds, lawns, plants, trees, shrubs, bushes, or other vegetative matter, or when applying water for any landscaping or agricultural purpose of any kind.

## **Sec. 82-257. Notices.**

- (a) Upon the determination that a Stage 2 or higher water condition exists, the city shall provide for notification to each customer of such condition, as applicable, or all water use restrictions then in effect, and of the penalties for failure to comply with the imposed restrictions. Such notice shall be given to each customer within the city by publication in the City's official newspaper. Additional means of notification may be employed at the discretion of the city council and/or the city manager.

## **REVISED STANDARDS FOR WATER CONSERVATION**

Previous restrictions implemented on July 13<sup>th</sup> did not reduce peak usage volumes. The result is that water storage facilities are emptied, water pressure is reduced below acceptable standards, and fire-fighting capabilities are substantially reduced.

If these new standards do not result in reduced peak-time usage, more restrictive standards may be required.

Please assist us in protecting your water system by complying with the above standards and pass this information along to others who may not be informed or may not be complying.

### **NEW STANDARDS EFFECTIVE AUGUST 4, 1998**

1. Limit outside watering to odd/even days. Addresses ending with even numbers can water only on even-numbered days of the month; addresses ending with odd numbers can water only on odd-numbered days of the month.
2. Watering hours are from 3:00 A.M. to 9:00 A.M. only.
3. No commercial car washing except in approved car washes with bays and traps.
4. Strictly enforce water conservation codes.
5. No unnecessary use of public water for fire practice.
6. No bulk sales of water, except to contractors or entities using the purchased water to perform work with the city limits of Tomball.