



**CITY OF FAIRFIELD
CITY COUNCIL MEETING**

**MARCH 25, 2024
12:00 PM**

THE CITY COUNCIL OF THE CITY OF FAIRFIELD, TEXAS WILL CONVENE INTO A **SPECIAL CALLED MEETING AT 12:00PM ON MONDAY, MARCH 25, 2024**, AT THE CITY OF FAIRFIELD MUNICIPAL BUILDING.

NOTICE: AT ANY TIME DURING THE CITY COUNCIL MEETING, THE CITY COUNCIL MAY ADJOURN INTO EXECUTIVE SESSION FOR ANY REASON LISTED ON THIS AGENDA PURSUANT TO ANY APPLICABLE SECTION OF THE TEXAS GOVERNMENT CODE, CONSULTATION WITH ATTORNEY- SECTION 551.0 71, REAL PROPERTY DELIBERATION - SECTION 551 .0 72, DELIBERATION ON GIFTS - SECTION 551 .073, PERSONNEL MATTERS- SECTION 551 .074, DISCUSSION OF SECURITY MEASURES- SECTION 551.076 AND ECONOMIC DEVELOPMENT - SECTION 551.087.

H.B.NO.2840-Section 551.001(3)(b) and (c). A governmental body shall allow each member of the public who desires to address the body regarding an item on the agenda for an open meeting of the body to address the body regarding the item at the meeting before or during the body's consideration of the item. A governmental body may adopt reasonable rules regarding the public's right to address the body under this section, including rules that limit the total amount of time that a member of the public may address the body on a given item.

1. CALL TO ORDER; PRAYER AND PLEDGE
2. VISITORS AND CITIZENS FORUM: AT THIS TIME, ANY PERSON WITH BEFORE THE COUNCIL NOT SCHEDULED ON THE AGENDA MAY SPEAK TO THE COUNCIL. NO FORMAL ACTION CAN BE TAKEN ON THESE ITEMS AT THIS TIME.
3. DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT OF 9.58 AC. INST. 2023-2304150 CREATING FINAL PLAT OF TRACTS 1 AND 2 R. GAINOR SURVEY A-12 CITY OF FAIRFIELD, FREESTONE COUNTY, TEXAS.
4. DISCUSSION AND POSSIBLE ACTION TO APPROVE DROUGHT CONTINGENCY PLAN FOR THE CITY OF FAIRFIELD, TEXAS DEPARTMENT OF CRIMINAL JUSTICE BOYD UNIT AND CITY OF FAIRIFELD/WESTWOOD UTLITY.
5. ADJOURN

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED BY FRIDAY, MARCH 22, 2024 AT 12:00P.M. ON THE BULLETIN BOARD AT CITY HALL, 527 EAST COMMERCE STREET, FAIRFIELD, TEXAS, AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING SCHEDULED TIME OF THE MEETING, I FURTHER CERTIFY THAT THE FOLLOWING NEWS MEDIA AND WEBSITE HOSTING WAS PROPERLY NOTIFIED OF THIS MEETING AS STATED ABOVE: FAIRFIELD RECORDER AND FREESTONE COUNTY TIMES, FAIRFIELD, TX.



Misty Richardson, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS SHOULD BE MADE FORTY-EIGHT (48) HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (903)389-2633 FOR FURTHER INFORMATION

**City Council
City of Fairfield, Texas
Agenda Action Form**

AGENDA ITEM: 3.

AGENDA SUBJECT: DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT OF 9.58 AC. INST. 2023-2304150 CREATING FINAL PLAT OF TRACTS 1 AND 2 R. GAINOR SURVEY A-12 CITY OF FAIRFIELD, FREESTONE COUNTY, TEXAS.

PREPARED BY:

DATE SUBMITTED: March 22, 2024

EXHIBITS: 1. Nichols Replat

BUDGETARY IMPACT:

SUMMARY:

RECOMMENDED ACTION:

0 60 120 180

T.B.M.
1/2" FIR
343.3'

*Plat of 9.58 Ac.
Inst. 2023-2304150
Creating Final Plat
of Tracts 1 and 2
R. Gainer Survey A-12
City of Fairfield
Freestone County, Texas*

**TRACT 1
4.64 AC.**

GENERATION 6 LAND & CATTLE LLC
1708/216

NOTE: THIS SURVEY WAS PREPARED WITHOUT
BENEFIT OF A TITLE COMMITMENT OR
TITLE REPORT, THERE MAY BE ADDITIONAL
EASEMENTS OR ENCUMBRANCES AFFECTING
THIS TRACT THAT ARE NOT SHOWN HEREON.

STATE OF TEXAS:
COUNTY OF FREESTONE:
KNOW ALL MEN BY THESE PRESENTS:

Gary Nichols and Sawtree Kingwicht are the owners
of the tract of land shown hereon, and do hereby
adopt this Plat as my plan to subdivide this property.
No Rights-of-Ways are dedicated hereon. It is the
Property Owners responsibility to verify Easements
prior to constructing any improvements.

This Plat approved subject to all platting ordinances,
rules, regulations and resolutions of the City of Fairfield,
Freestone County, Texas.

Gary Nichols
130 CR 1091
Streetman, TX 75859

Sawtree Kingwicht
130 CR 1091
Streetman, TX 75859

○ = 1/2" SIR UNLESS NOTED

NOTE: BEARINGS BASED ON GPS
OBSERVATION NAD 1983.

NOTE: THIS SURVEY WAS PREPARED WITHOUT
BENEFIT OF A TITLE COMMITMENT OR
TITLE REPORT, THERE MAY BE ADDITIONAL
EASEMENTS OR ENCUMBRANCES AFFECTING
THIS TRACT THAT ARE NOT SHOWN HEREON.

Note: Development and or division of real estate has
regulations from the state, county and city. Anyone using
this survey to develop and or divide land should consult
with the appropriate entity to see what regulations apply.
Failure to do so could result in legal action being taken.

Note: This Property lies in Zone "X",
areas of minimal flooding according to
Firm Number 480823A, effective 03/01/1990

Warning: If this property is not within Zone "A", the
above flood statement does not imply that the
property and/or structures thereon will be free
from flooding or flood damage. On rare occasions,
greater floods can and will occur and flood heights
may be increased by man-made or natural causes.
This flood statement shall not create any liability
on the part of the land surveyor.

JOHNSON LIFE ESTATE
2021-2104749

GARY & SAWTREE NICHOLS
CALL 9.58 AC.
2023-2304150

OLYMPIA MCELROY
2023-2302048

**TRACT 2
4.94 AC.**

STATE OF TEXAS:
COUNTY OF FREESTONE:
KNOW ALL MEN BY THESE PRESENTS:

Before me, the undersigned Authority, a Notary Public
in and for said County and State, on this Day appeared
Gary Nichols and Sawtree Kingwicht, known to me to be
the person(s) whose subscribed to the foregoing, and
acknowledged to me that they executed to the same for
the purpose here in expressed.

Witness my Hand and Seal on this the _____
Day of _____, 2024.

Notary Public in and for the State of Texas

Approved by the City of Fairfield, Texas on this the _____
Day of _____, 2024.

Mayor

Attest: City Secretary

NOTE** THERE MAY BE ADDITIONAL
EASEMENTS OR ENCUMBRANCES AFFECTING
THIS TRACT THAT ARE NOT SHOWN HEREON.

PROPERTY OWNER:
HOLB HOLDINGS SERIES ROME
VENTURES HOLDINGS LLC
526 E COMMERCE ST. STE B
FAIRFIELD, TX 75840

LEGEND
I.C.V. = IRRIGATION CONTROL VALVE
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
W/M = WATER METER
W/V = WATER VALVE
FIR = FOUND IRON ROD
SIR = SET IRON ROD
TEL. = TELEPHONE
A/C = AIR CONDITIONER
* = FENCE
— = POWERLINE

HEARN SURVEYING ASSOCIATES

FIRM NUMBER: 10019000

108 W TYLER ST
ATHENS, TX 75751-2045
(903) 675-2858

800-432-7670

USE OR REPRODUCTION OF THIS SURVEY FOR ANY PURPOSE BY OTHER
PARTIES IS PROHIBITED. SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS
RESULTING THEREFROM.

SCALE: 1" = 60'
COUNTY: FREESTONE
ACREAGE: 4.64 AC.
SURVEY: R. GAINER A-12
DESCRIPTION: 2023-2304150
SURVEYED FOR: SSP INVESTMENT LLC
DRAWN BY: R.P. 001
FIELD TECH: J.G.



**City Council
City of Fairfield, Texas
Agenda Action Form**

AGENDA ITEM: 4.

AGENDA SUBJECT: DISCUSSION AND POSSIBLE ACTION TO APPROVE DROUGHT CONTINGENCY PLAN FOR THE CITY OF FAIRFIELD, TEXAS DEPARTMENT OF CRIMINAL JUSTICE BOYD UNIT AND CITY OF FAIRIFELD/WESTWOOD UTLITY.

PREPARED BY:

DATE SUBMITTED: March 22, 2024

EXHIBITS:

1. Drought Contigency Plan City of Fairfield
2. CITY OF FAIRIFELD.
3. TDCJ DROUGHT CONTTINGENCY PLAN
4. TEXAS DEPARTMENT OF CRIMINAL JUSTICE BOYD UNIT.
5. Westwood Drought Plan
6. CITY OF FAIRFIELD WESTWOOD UTILITY

BUDGETARY IMPACT:

SUMMARY:

RECOMMENDED ACTION:

REVIEW AND UPDATE

DROUGHT CONTINGENCY PLAN

FOR THE

CITY OF FAIRFIELD

FREESTONE COUNTY, TEXAS

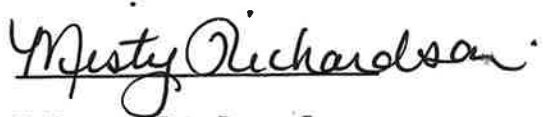
NO CORRECTIONS OR AMENDMENTS NOTED

THIS THE 9TH DAY OF MAY 2023



Kenneth Hughes

Mayor



Misty Richardson

City Secretary

EXHIBIT "A" TO ORDINANCE
DROUGHT CONTINGENCY PLAN
FOR THE
City of Fairfield, Texas
February 12, 2002

AMENDED AUGUST 29, 2006

Section 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 of Fairfield ("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 ("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 Section XI of this Plan.

Section II: Public Involvement

Opportunity for the public to view, make comment and receive a copy of the Plan was provided by the City by means of a Public Notice/Legal Notice published in the Fairfield Recorder.

Section III: Public Education

The City of Fairfield 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 the Fairfield Recorder, Freestone County Times and KNES Radio. The City of Fairfield may choose to mail notices to each water customer.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Fairfield is located within the Trinity River Authority jurisdiction and the City of Fairfield has provided a copy of this plan to them and the Texas Commission on Environmental Quality.

Section V: Authorization

The Mayor, upon recommendations from 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 Mayor 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 VI: Application

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

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

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

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

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

Customer: any person, company, or organization using water supplied by the City of Fairfield.

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.

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 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 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.

Section VIII: Triggering Criteria for Initiation and Termination of Drought Response Stages

The Mayor, 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. Public notification of the initiation or termination of drought response stages shall be by means of publication in the Fairfield Recorder, Freestone County Times and KNES Radio and posting of such Notice on the bulletin board at City Hall.

The triggering criteria described below are based on historical data, well pumping capacity, water storage and daily consumption.

(a) STAGE 1 – MILD WATER SHORTAGE CONDITIONS

Requirements for initiation - Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII – Definitions, when;

1. **July 2000 Statistics.** An average three (3) day high of 1,261,333 gallons was recorded, with temperatures in excess of 100 degrees. The City has the capacity to pump 1,134,000 with all pumps at 50% duty.
2. **natural or man-made contamination of the water supply source.**

Therefore, assume that when total daily water demand equals or exceeds 750,000 gallons for three (3) consecutive days at 50% duty "mild" conditions occur.

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days.

(b) STAGE 2 – MODERATE WATER SHORTAGE CONNDITIONS.

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section VII of this Plan when;

1. **July 2000 Statistics.** An average three (3) day high of 1,261,333 gallons was recorded, with temperatures in excess of 100 degrees. The City has the capacity to pump 1,134,000 with all pumps at 50% duty.
2. **Natural or man-made contamination of the water supply source.**

Therefore, assume that when the total daily water demand equals or exceeds 850,000 gallons for three (3) consecutive days at 75% duty "moderate" conditions occur.

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 five (5) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

(c) STAGE 3 – SEVERE WATER SHORTAGE CONDITIONS

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when;

1. **July 2000 Statistics.** An average three (3) day high of 1,261,000 gallons was recorded, with temperatures in excess of 100 degrees. The City has the capacity to pump 1,134,000 with all pumps at 50% duty.
2. **Natural or man-made contamination of the water supply source.**

Therefore, assume that when the total daily water demand equals or exceeds 1,000,000 gallons for three (3) consecutive days at 75% duty "Severe" conditions occur.

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

(d) STAGE 4 – 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 Stage 4 of this Plan when;

1. **July 2000 Statistics.** An average three (3) day high of 1,261,000 was recorded, with temperatures in excess of 100 degrees. The City has the capacity to pump 1,134,000 with all pumps at 50% duty.
2. **The loss of one (1) well would force the other three (3) to pump at 100% of capacity to supply approximately 44% of the water need to meet demand.**
3. **Natural or man-made contamination of the water supply source.**

Therefore, assume that "Critical" Water Shortage Conditions occur.

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

(e) STAGE 5 – 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;

1. **The loss of any two (2) water well pumps will trigger an "Emergency Water Shortage".**
2. **Natural or man-made contamination of the water supply source.**

Therefore, assume that "Emergency" Water Shortage Conditions occur.

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 five (5) consecutive days.

Section IX: Drought Response Stages

The Mayor, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of the Plan, shall determine that a mild, moderate, severe, critical, or emergency condition exists and shall implement the following actions upon publication of notice in a newspaper of general circulation:

Stage 1 - Mild Water Shortage Conditions

Goal: Achieve a voluntary 10% percent reduction in daily water demand.

Supply Management Measures:

The City of Fairfield will reduce or discontinue flushing of water mains, and irrigate recreation areas only when essential.

Voluntary Water Use Restrictions:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas as follows:
 - 1. Customers residing North of Highway 84 shall irrigate on Monday, Wednesday and Friday.
 - 2. Customers residing South of Highway 84 shall irrigate on Tuesday, Thursday and Saturday.
 - 3. Irrigation hours shall be either 05:00 am to 10:00 am or 08:00 pm to 12:00 pm
 - 4. Customers shall not irrigate on Sundays.
- (b) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.
- (c) Sales of water to Bulk Haulers shall be discontinued.

Stage 2 - Moderate Water Shortage Conditions

Goal: Achieve a 20% percent reduction in daily water demand.

Supply Management Measures:

The City of Fairfield will reduce or discontinue flushing of water mains, and discontinue irrigation of public landscaped areas.

Water Use Restrictions. Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas as follows:
 - 1. Customers residing North of Highway 84 shall irrigate on Monday, Wednesday and Friday.
 - 2. Customers residing South of Highway 84 shall irrigate on Tuesday, Thursday and Saturday.
 - 3. Irrigation hours shall be either 05:00 am to 10:00 am or 08:00 pm to 12:00 pm
 - 4. Customers shall not irrigate on Sundays.
- (b) 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 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (c) 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.

Stage 3 - Severe Water Shortage Conditions

Goal: Achieve a 35% percent reduction in daily water demand.

Supply Management Measures:

The City of Fairfield will reduce or discontinue flushing of water mains, reduced or discontinued irrigation of public landscaped areas.

- 3. **Water Use Restrictions.** All requirements of Stage 2 shall remain in effect during Stage 3 except:
 - (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 05:00 am and 10:00 a.m. or between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or

permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.

- (b) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 - Critical Water Shortage Conditions

Goal: Achieve a 50% percent reduction in daily water demand.

Supply Management Measures:

The City of Fairfield will reduce or discontinued flushing of water mains, reduce or discontinued irrigation of public landscaped areas.

Water Use Restrictions. All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 09:00 a.m. and between 8:00 p.m. and 11:00 pm and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) 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.
- (e) No applications 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 allowed or approved.

Stage 5 - Emergency Water Shortage Conditions

Goal: Achieve a 65% percent reduction in daily water demand.

Supply Management Measures:

The City of Fairfield will reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas.

Water Use Restrictions. All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) **No exceptions to be noted.**

Section XI: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Fairfield 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 stage in effect at the time pursuant to action taken by the Mayor, or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than two-hundred dollars (\$200.00) and not more than two-thousand dollars (\$2,000.00). 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 Mayor shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$100.00, and any other costs incurred by the City of Fairfield in discontinuing service. In addition, suitable assurance must be given to the Mayor, 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.
- (c) Any person, including a person classified as a water customer of the City of Fairfield, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the 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 parents' 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 the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

- (d) Any employee of the City of Fairfield, police officer, or other employee designated by the Mayor, 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 addresss of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the City of Fairfield, Municipal Court, 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 the City of Fairfield, Municipal Court, to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in the City of Fairfield, Municipal Court, 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 the City of Fairfield, Municipal Court, before all other cases.

Section XII: Variances

The Mayor, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City Secretary within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Mayor, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.

- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Variances granted by the City of Fairfield shall be subject to the following conditions, unless waived or modified by the Mayor 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 City Council of the City of Fairfield 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 City Council of the City of Fairfield without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

REVIEW AND UPDATE
DROUGHT CONTINGENCY PLAN
FOR THE
CITY OF FAIRIFELD
FREESTONE COUNTY, TEXAS

NO CORRECTION OR AMENDMENTS NOTED

THIS 25TH DAY OF MARCH 2024

Kenneth D. Hughes
Mayor

Attest

Misty L Richardson, TRMC
City Secretary

REVIEW AND UPDATE

**DROUGHT CONTINGENCY PLAN
FOR THE
TEXAS DEPARTMENT OF CORRECTIONS
BOYD UNIT, FREESTONE COUNTY, TEXAS**

**NO CORRECTIONS OR AMENDMENTS NOTED
THIS THE 23RD DAY OF APRIL, 2019**

A handwritten signature in black ink, appearing to read 'Ken Hughes', written over a horizontal line.

Kenneth Hughes

Mayor

A handwritten signature in black ink, appearing to read 'Misty Richardson', written over a horizontal line.

Misty Richardson

City Secretary

REVIEW AND UPDATE

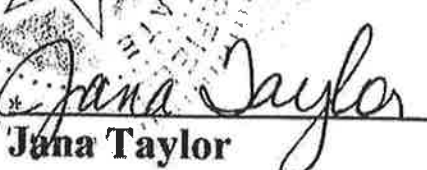
COPY

**DROUGHT CONTINGENCY PLAN
FOR THE
TEXAS DEPARTMENT OF CORRECTIONS
BOYD UNIT, FREESTONE COUNTY, TEXAS**

**NO CORRECTIONS OR AMENDMENTS NOTED
THIS THE 26TH DAY OF AUGUST 2008**


Roy W. Hill
Mayor


ATTEST


Jana Taylor
City Secretary

**ORDINANCE FOR ADOPTION OF A
DROUGHT CONTINGENCY PLAN
FOR THE
TEXAS DEPARTMENT OF CORRECTIONS
BOYD UNIT, FREESTONE COUNTY, TEXAS**

PASSED AND APPROVED

JUNE 5, 2001

COPY

**ORDINANCE FOR ADOPTION OF A
DROUGHT CONTINGENCY PLAN
FOR THE
TEXAS DEPARTMENT OF CORRECTIONS
BOYD UNIT, FREESTONE COUNTY, TEXAS**

AN ORDINANCE OF THE CITY OF FAIRFIELD, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN; ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Fairfield, Texas recognizes that the amount of water available to the Texas Department of Corrections-Boyd Unit (TDCJ Boyd-Unit) water utility customers is limited and subject to depletion during periods of extended drought;

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

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Natural Resource Conservation Commission require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the citizens of TDCJ-Boyd Unit, the City Council of the City of Fairfield, Texas deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRFIELD, TEXAS:

SECTION 1.

That the TDCJ-Boyd Unit Drought Contingency Plan attached hereto as Exhibit A and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

SECTION 2.

That all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3.

Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4.

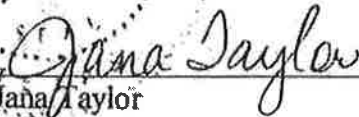
This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED BY THE CITY OF FAIRFIELD, TEXAS, on the 5th day of June, 2001.

APPROVED:



Luke Ward Jr.
Mayor


ATTESTED TO:


Jana Taylor
City Secretary

EXHIBIT A

DROUGHT CONTINGENCY PLAN

FOR THE

TDCJ Boyd Unit, Freestone County, Texas

Section 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 of Fairfield hereby adopts the following regulations and restrictions on the delivery and consumption of water.

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

Section II: Public Involvement

The City of Fairfield will coordinate the notification process with the Warden of the TDCJ Facility, currently Warden Terry. Since the City of Fairfield has no involvement in the communication process inside the facility any and all must go through the Wardens Office.

Section III: Education

The City of Fairfield will periodically provide the Facility Warden 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 phone calls, personal meetings, and whatever other forms of communications necessary.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Fairfield is located within the Trinity River Authority jurisdiction and the City of Fairfield has provided a copy of this plan them and the Texas Natural Resource Conservation Commission.

Section V: Authorization

The Mayor, upon recommendations from the City Manager/Administrator and 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 Mayor 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 VI: Application

The provisions of this Plan shall apply to all persons housed within the Texas Department of Criminal Justice Facility utilizing water provided by the City of Fairfield.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

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

Institutional water use: water use, which is integral to the operations of the TDCJ Facility.

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: all persons housed within the TDCJ Facility.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning of the facility.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, gardens and recreational parks.

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, gardens and recreational parks, except as otherwise provided by this plan.

Section VIII: Triggering Criteria for Initiation and Termination of Drought Response Stages

The Mayor, 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. Notification of the initiation or termination of drought response stages shall be coordinated by phone and personal meetings with the Facility Warden.

The triggering criteria described below are based on historical water usage for the past five (5) years and contractual agreements with regard to inmate population at the TDCJ Facility.

(a) Stage 1 - Mild Water Shortage Conditions

Requirements for initiation - Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII – Definitions:

- **Annually beginning on June 1 through September 30, when daily temperatures exceed 95° for 7 consecutive days.**

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days.

(b) Stage 2 - Moderate Water Shortage Conditions

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section VII of this Plan when;

- **When daily temperatures exceed 95° for seven (7) consecutive days, and**
- **Storage levels fail to recover to the 80% level over night.**

*256 ft GST
24*

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.

(c) Stage 3 - Severe Water Shortage Conditions

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when;

- **When daily temperatures exceed 95° for ten (10) consecutive days, and**
- **Storage levels fail to recover to the 70% level overnight.**
- **Electric Power interruption with anticipated outage for twenty four (24) hours or more.**

220000 21 ft GST

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of ten (10) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

(d) Stage 4 - Emergency Water Shortage Conditions

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions for Stage 4 of this Plan when the Mayor, or his/her designee, determines that a water supply emergency exists based on:

- Major water line breaks, or pump or system failures occur, which causes an unprecedented loss of capability to provide water service; or
- **Natural or man-made contamination of the water supply source.**

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.

Section IX: Drought Response Stages

The Mayor, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of the Plan, shall determine that a mild, moderate, severe or emergency condition exists and shall implement the following actions upon publication of notice in a newspaper of general circulation:

Stage 1 - Mild Water Shortage Conditions

Goal: Achieve a voluntary 10% percent reduction in total water use.

Supply Management Measures:

- Discontinued flushing of water mains.

Voluntary Water Use Restrictions:

- (a) TDCJ personnel are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays.

Stage 2 - Moderate Water Shortage Conditions

Goal: Achieve a 20% reduction in daily water demand.

Supply Management Measures:

- Discontinue flushing of water mains.

Water Use Restrictions. Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

(a) TDCJ personnel are requested to limit the irrigation of landscaped areas to Sundays.

(b) The following uses of water are defined as non-essential and are prohibited:

1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. use of water for dust control;
4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 - Severe Water Shortage Conditions

Goal: Achieve a 30% reduction in total water use.

Supply Management Measures:

- Discontinue irrigation of landscaped areas.

Water Use Restrictions. All requirements of Stage 2 shall remain in effect during Stage 3 and:

(a) All irrigation of landscaped areas shall be discontinued until further notice.

Stage 4 - Emergency Water Shortage Conditions

Goal: Achieve a 50% percent reduction in daily water demand.

Supply Management Measures:

- **Discontinued flushing of water mains.**
- **Discontinued irrigation of public landscaped areas.**
- **Use of an alternative supply source(s).**
- **Use of reclaimed water for non-potable purposes.**

Water Use Restrictions. All requirements of Stage 2 and 3, and 4 shall remain in effect during Stage 4.

Section XI: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the TDCJ Utility in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Mayor, or his/her designee, in accordance with provisions of this Plan.

Section XII: Variances

The Mayor, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Section XIII: Severability

It is hereby declared to be the intention of the City of Fairfield 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 City of Fairfield (governing body of the water supplier) without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section of this Plan.

REVIEW AND UPDATE
DROUGHT CONTINGENCY PLAN
FOR THE
TEXAS DEPARTMENT OF CORRECTIONS
BOYD UNIT
FREESTONE COUNTY, TEXAS

NO CORRECTION OR AMENDMENTS NOTED
THIS 25TH DAY OF MARCH 2024

Kenneth D. Hughes
Mayor

Attest

Misty L Richardson, TRMC
City Secretary

**CITY OF FAIRFIELD/WESTWOOD UTILITY
DROUGHT CONTINGENCY PLAN
PUBLIC WATER SYSTEM**

PWS ID: 0810024

CN: 600671242

RN: 101231660

DIRECTOR OF PUBLIC WORKS: CLYDE WOODS

222 SOUTH MOUNT

FAIRFIELD, TEXAS 75840

PHONE (903) 389-2633/ FAX (903)389-6327



**Prepared by: Shane Reves
July 2018**

COPY

**ORDINANCE FOR ADOPTION OF A
DROUGHT CONTINGENCY PLAN**

AN ORDINANCE OF THE CITY OF FAIRFIELD/WESTWOOD UTILITY, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN ; ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Fairfield/Westwood Utility, Texas recognizes that the amount of water available to the Plant and its water utility customers is limited and subject to depletion during periods of extended drought;

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

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the TCEQ require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the citizens of City of Fairfield/ Westwood, Texas, the City Council deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRFIELD/ WESTWOOD UTILITY, TEXAS:

SECTION 1.

That the City of Fairfield/Westwood Utility, Texas Drought Contingency Plan attached hereto as Exhibit A and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of Westwood Utility.

COPY

SECTION 2.

That all ordinances that are in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other ordinances of the City of Fairfield/ Westwood Utility not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3.

Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4.

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED BY THE CITY OF FAIRFIELD/WESTWOOD TER PLANT, TEXAS,
on the 24th day of July, 2018.

APPROVED:


Kenneth D. Hughes, Mayor

ATTESTED TO:


Misty Richardson
City Secretary



Drought Contingency Plan for a Retail Public Water Supplier

Texas Commission on Environmental Quality

This form is provided as a model of a drought contingency plan for a retail public water supplier. If you need assistance in completing this form or in developing your plan, please contact the conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691. Submit completed plans to: Water Availability Division MC 160, TCEQ, P.O. Box 13087, Austin TX 78711-3087.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan.

Name: City of Fairfield/ Westwood Utility

Address: 222 S. Mount, Fairfield, Texas 75840

Telephone Number: (903) 389-2633 Fax: ()

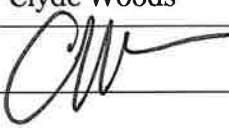
Water Right No.(s): PWS# 0810024

Regional Water Planning Group: C

Form Completed by: Clyde Woods

Title: Director of Public Works

Water Conservation Coordinator responsible for implementation: Clyde Woods Phone: (903) 390-0781

Signature:  Date: 07/24/2018

Section 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 of Fairfield/ Westwood Utility hereby adopts the following regulations and restrictions on the delivery and consumption of water.

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

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by The City of Fairfield/ Westwood Utility by means of separate mailing inviting comment.

The City of Fairfield/ Westwood Utility shall consider holding a public meeting if system malfunctions or Severe drought warrant mandatory water restrictions.

Section III: Public Education

The City of Fairfield/ Westwood Utility 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 separate mailing.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Fairfield/ Westwood Utility is located within the RWPG and City of Fairfield/ Westwood Utility has provided a copy of this Plan to the RWPG "C".

Section V: Authorization

The Mayor 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 Mayor 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 VI: Application

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

Section VII: Notification

Written notice will be provided to each customer **prior to implementation or termination of each stage of the water restriction program.** Mailed notice must be given to each customer 72 hours prior to the start of water restriction. If notice is hand delivered, the Utility cannot enforce the provisions of the Plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

- The date restriction will begin
- The circumstances that triggered the restrictions
- The stages of the response and explanation of the restrictions to be implemented
- An explanation of the consequences for violations.
-

The Utility must notify the TCEQ by telephone at 512-239-6020 or email at watermon@tceq.state.tx.us prior to implementing stage III and must notify in writing the Public Drinking Water Section @ MC-155, PO Box 13087, Austin, Texas 78711-3087 within five (5) working days of implementation including a copy of the Utility's restriction notice. The Utility must file a status report of its restriction program with the TCEQ at the initiation and termination of mandatory water use restrictions. (IE:stages III and IV)

Notification of the Public:

The Mayor or his/ her designee shall notify the public by any or all means of:

- *publication in a newspaper of general circulation,*
- *direct mail to each customer,*
- *public service announcements,*
- *signs posted in public places*
- *take-home fliers at schools.*

Additional Notification:

The Mayor or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- *Members of the City Council*
- *Fire Chief*
- *County Emergency Management Coordinator*
- *County Judge & Commissioner(s)*
- *State Disaster District / Department of Public Safety*
- *TCEQ (required when mandatory restrictions are imposed)*
- *Major water users*
- *Critical water users, i.e. hospitals*
- *Parks / street superintendents & public facilities managers*

Section VIII: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Fairfield/ Westwood Utility 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 stage in effect at the time pursuant to action taken by Mayor or his/her designee, in accordance with provisions of this Plan.

- (b) First violation – The customer will be notified by written notice of their specific violation.
- (c) Subsequent violations:
 - 1) After written notice, the Utility may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24 hour period. The Utility may charge the customer the actual cost for installing and removing the flow restricting device, not to exceed \$50.00.
 - 2) After written notice, the Utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of the Utility will apply for restoration of service.

Section IX: Variances

The Mayor or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Fairfield/ Westwood Utility within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Mayor, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

A customer who is refused an exemption or variance may appeal such action of the Utility to the TCEQ. The Utility will treat all customers equally concerning exemptions and variances, and shall not discriminate in granting exemptions and variances. No exemption or variance shall be

retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section X: Definitions

For the purposes of this Plan, the following definitions shall apply:

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

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

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

Customer: any person, company, or organization using water supplied by City of Fairfield/Westwood Utility.

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.

Section XI: Criteria for Initiation and Termination of Drought Response Stages

The Mayor 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 trigger levels based on a statistical analysis of the vulnerability of the water source combined with current drought conditions and known system capacity limits.

Section XII: Response Stages

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or Severe condition, the Utility will initially declare Stage I restrictions. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage II may be implemented with Stage III and Stage IV to follow if necessary.

Stage 1 Triggers -- MILD Water Shortage Conditions (CUSTOMER AWARENESS)

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII B Definitions:

- Stage I will begin: **Every April 1st, the Utility will mail a public announcement to its customers. No notice to TCEQ is required.**
- Stage I will end: **Every September 30th, the Utility will mail a public announcement to its customers. No notice to TCEQ is required.**

Utility measures: This announcement is designed to increase customer awareness.

Voluntary water use restrictions: Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation.

Stage 2 Triggers -- MODERATE Water Shortage Conditions (VOLUNTARY WATER CONSERVATION)

Requirements for initiation

The Water Utility will implement Stage II when any one of the selected triggers is reached:

Supply Based Triggers:

- Any pump/well malfunction which reduces or impairs the maximum pumping capacity of any well or any mainline break which impairs the storage of pumping capacity at the plant.

Demand or Capacity Based Triggers:

- Pump run hours per day 20-21 hrs.

Requirement Target:

- To reduce pumping hours by 1-2 hours in order to achieve Stage I status.

Upon initiation and termination of Stage II, the Utility will mail a public announcement to its customers. NO notice to TCEQ required.

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 3 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Utility measures

Visually inspect lines for leaks on a daily basis. Review customer usage records monthly and follow-up on any that have unusually high usage.

Additional Measures Available

Interconnection with the City of Fairfield for short term emergency relief, not to exceed 4-6 hours.

Voluntary Water Use Restrictions

- 1) **Restricted Hours:** Outside watering is allowed daily but only during periods specifically described in the customer notice; **Mondays for water customers with an address ending with the numbers 1,2 or 3, Wednesdays for water customers with an address ending with the numbers 4, 5 or 6, and Fridays for water customers with an address ending with the numbers 7, 8, 9 or 0.**
Irrigation of landscaped areas is further limited to the hours of 12:00 midnight to 10:00am and between 8:00pm and 12:00 midnight on designated watering days. Irrigation of a landscape area IS PERMITTED at anytime if it is by means of a handheld hose, a faucet filled bucket, a watering can of 5 gallons or less or a drip irrigation system.
- 2) Customers are asked to strictly limit any uses that waste water such as having water run down the street, gutter, or drainage system.

Stage 3 Triggers – SEVERE Water Shortage Conditions (MANDATORY WATER USE RESTRICTIONS)

Requirements for initiation

The Water Utility will implement Stage III when any one of the selected triggers is reached:

Supply Based Triggers:

- Any pump/well malfunction which reduces or impairs the maximum pumping capacity of any well or any mainline break which impairs the storage of pumping capacity at the plant.

Demand or Capacity Based Triggers:

- Pump run hours per day 22-23 hrs.

Requirement Target:

- To reduce pumping hours by 1-2 hours in order to achieve Stage II status.

Upon initiation and termination of Stage III, the Utility will mail a public announcement to its customers. Notice to TCEQ IS REQUIRED.

Requirements for termination

Stage III of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage III, Stage II becomes operative.

Utility measures

Visually inspect lines for leaks on a daily basis. Review customer usage records monthly and follow-up on any that have unusually high usage.

Additional Measures Available

Interconnection with the City of Fairfield for short term emergency relief, not to exceed 4-6 hours.

Mandatory Water Use Restrictions: The following water use restrictions apply to all customers

- 1) Restricted Hours: Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems **SHALL BE LIMITED TO Mondays for water customers with an address ending with the numbers 1,2 or 3, Wednesdays for water customers with an address ending with the numbers 4, 5 or 6, and Fridays for water customers with an address ending with the numbers 7, 8, 9 or 0.** Irrigation of landscaped areas is further limited to the hours of 12:00 midnight to 10:00am and between 8:00pm and 12:00 midnight on designated watering days. Irrigation of a landscape area IS PERMITTED at anytime if it is by means of a handheld hose, a faucet filled bucket, a watering can of 5 gallons or less or a drip irrigation system.
- 2) Use of water to wash any motor vehicle, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight to 10:00am and between 8:00pm and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done anytime on the immediate premises of a commercial car wash 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 cleaning, such as garbage trucks and/or 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 12:00 midnight to 10:00am and between 8:00pm and 12:00 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 or Flush Valves shall be limited to maintaining public health, safety, and welfare.
- 6) Use of water for the irrigation of Gol Courses, Parks, and Green Belt areas is prohibited except by hand-held hose and only on designated watering days between the hours 12:00 midnight to 10:00am and between 8:00pm and 12:00 midnight
- 7) The following uses of water are defined as non-essential and are prohibited:
 - a) Wash down of any sidewalk, driveway, parking lot, tennis court or any other hard surfaced area.
 - 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/drainage or permitting water to run or accumulate in and gutter/drainage area or street.
 - e) Failure to repair a controllable leak(s) within a reasonable period of time after having been given notice directing the repair of such leak(s).
 - f) Any waste of water.

Stage 4 Triggers -- CRITICAL Water Shortage Conditions (CRITICAL WATER USE RESTRICTIONS)

Requirements for initiation

The Water Utility will implement Stage IV when any one of the selected triggers is reached:

Supply Based Triggers:

- Any pump/well malfunction which reduces or impairs the maximum pumping capacity of any well or any mainline break which impairs the storage of pumping capacity at the plant.

Demand or Capacity Based Triggers:

- Pump run hours per day 23-24 hrs.

Requirement Target:

- To reduce pumping hours by 1-2 hours in order to achieve Stage III status.

Upon initiation and termination of Stage IV, the Utility will mail a public announcement to its customers. Notice to TCEQ IS REQUIRED.

Requirements for termination

Stage III of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage IV, Stage III becomes operative.

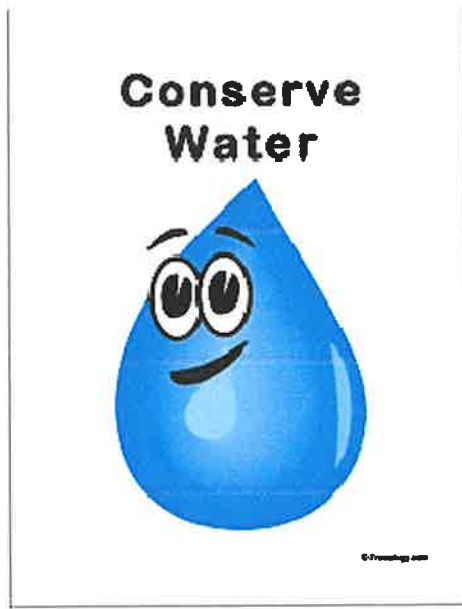
Utility measures

- a) Visually inspect lines for leaks on a daily basis.
- b) Review customer usage records **AND READ METERS AS OFTEN AS NECESSARY** and follow-up on any that have unusually high usage to insure compliance with this program for the benefit of all customers
- c) Flushing is prohibited except for dead-end mains and shall only be done between the hours of 9:00pm and 3:00am.
- d) Emergency Interconnects or alternative supply arrangements shall be initiated.
- e)

Mandatory Water Use Restrictions: The following water use restrictions apply to all customers.

- 1) All outdoor use of water is strictly prohibited.
- 2) Irrigation of any kind is strictly prohibited.
- 3) Use of water to wash ANY motor vehicle, boat, trailer, plane or other is strictly prohibited.

THIS AREA MARKS THE END OF THE WESTWOOD DROUGHT CONTINGENCY PLAN. All the following is template excerpts to assist in plan



**CITY OF FAIRFIELD/WESTWOOD UTILITY
"NOTICE"**

DUE TO EXTREME TEMPERATURES, THE CITY OF FAIRFIELD/WESTWOOD UTILITY IS REQUESTING THAT CUSTOMERS IN THE WESTWOOD UTILITY SERVICE AREA TO COOPERATE WITH THE DROUGHT CONTINGENCY STAGE II PROGRAM FOR YOUR AREA.

THE CITY OF FAIRFIELD/WESTWOOD UTILITY HAS MET USAGE DEMAND, HOWEVER EQUIPMENT IS WORKING 20 PLUS HOURS A DAY. THIS COULD LEAD TO EQUIPMENT FAILURE... THE FOLLOWING IS THE RECOMMENDED WATER USE RESTRICTION:

MONDAY: CUSTOMERS WITH ADDRESS ENDING WITH THE NUMBERS 1,2,3.

WEDNESDAY: CUSTOMERS WITH ADDRESS ENDING WITH THE NUMBERS 4,5,6.

FRIDAY: CUSTOMERS WITH ADDRESS ENDING WITH THE NUMBERS 7,8,9,OR 0.

IRRIGATION OF LANDSCAPED AREAS IS FURTHER LIMITED TO THE HOURS OF MIDNIGHT TO 10:00 AM ON DESIGNATED WATERING DAYS.

IF YOU HAVE ANY QUESTIONS, OR NEED FURTHER INFORMATION, PLEASE CONTACT CITY HALL AT (903) 389-2633.

REVIEW AND UPDATE
DROUGHT CONTINGENCY PLAN
FOR THE
CITY OF FAIRIFELD/ WESTWOOD UTILITY
FREESTONE COUNTY, TEXAS

NO CORRECTION OR AMENDMENTS NOTED TO ORDINANCE

THIS 25TH DAY OF MARCH 2024

Kenneth D. Hughes
Mayor

Attest

Misty L Richardson, TRMC
City Secretary