
# Water Conservation And Drought Response Plan

**April 2024**


# Water Conservation Plan

**April 2024**

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# Water Conservation Plan
# for the City of San Marcos, Texas

## 1.0 Introduction

The objectives of the City of San Marcos Water Conservation Plan (the Plan) are to improve efficiency of water use and to decrease per capita consumption in order to provide additional water supplies for future growth. Rapid development along the IH35 corridor has stretched existing water supplies for the San Marcos area necessitating a multi-pronged approach to meet the needs of a rapidly growing population. To address future water needs the City is utilizing various strategies including conservation of existing water resources, reuse of existing resources, and obtaining additional water sources. The City of San Marcos Water Supply Master Plan and South Central Texas (Region L) Water Planning Group have identified conservation of existing resources as an essential water management strategy for San Marcos and the south central Texas region.

The City of San Marcos currently utilizes both surface and ground water resources to meet its water needs. The majority of the water, about seventy-five percent, is obtained from Canyon Lake under contract with the Guadalupe Blanco River Authority (GBRA). The City is presently able to withdraw up to 10,000 acre-feet annually from Canyon Lake under the terms of the contract. The remainder of the City water supply is pumped from the Edwards Aquifer, which prior to 1999 was the sole water source for San Marcos. The City has a permit to use up to 5,433 acre-feet of Edwards Aquifer groundwater per year. These groundwater withdrawals may be reduced by up to 44% when aquifer levels fall below certain triggers, resulting in a firm Edwards Aquifer supply of 3,043 acre-feet per year.

The agencies that govern these resources require preparation and implementation of effective water conservation plans. In addition to providing for the needs of a rapidly growing population, this Plan fulfills the requirements of the agencies that govern use of state waters. Section 13.146 of the Texas Water Code requires retail public utilities that provides potable water service to 3,300 connection or more to submit a water conservation plan to the Texas Water Development Board (TWDB). Texas Administrative Code (TAC) 31, Chapter 363 requires that entities applying for or receiving financial assistance of more than $500,000 develop, submit and implement a water conservation plan. TAC 30, Chapter 288, enforced by the Texas Commission on Environmental Quality (TCEQ), requires surface water right holders

to develop, submit and implement water conservation plans. The Edwards Aquifer Authority (EAA) requires groundwater permit holders to implement water conservation plans and to document their conservation efforts.

This Plan is applicable to all persons, customers, and properties located within the San Marcos Texas Utilities (SMTXU) water/wastewater service area and to all persons, customers and properties using water provided by SMTXU. The Plan is also applicable to wholesale water customers. Every wholesale water supply contract that the City enters into requires that the wholesale customer adopt and implement a Water Conservation Plan that conforms to the TWDBs requirements, and submit it to the TWDB.

## 2.0 System Profile

The SMTXU water/wastewater system is comprised of several components including groundwater pumping stations, a surface water production and treatment system, a water distribution system, a wastewater collection system, and a wastewater treatment facility. Over 85 City employees and contractors work to maintain these systems.

The groundwater system is comprised of eight Edwards Aquifer wells that currently provide about twenty-five percent of the City's annual water usage.

The San Marcos Surface Water Treatment Plant (SWTP) began operation in January 2000 and has helped to drastically reduce the City's reliance on the Edwards Aquifer. A 20 mile raw water pipeline delivers surface water purchased from Canyon Lake to the SWTP, which is maintained and operated under contact with the Guadalupe Blanco River Authority (GBRA). In 2008 the SWTP expanded to operate at 21 MGD in order to accommodate additional users north of San Marcos. Through the SWTP, surface water currently provides about seventy-five percent of the City's water needs.

SMTXU has contracts with both the Alliance Regional Water Authority (ARWA) and Canyon Regional Water Authority (CRWA) which will provide additional water sources beginning in 2024.

The City maintains about 292 miles of water pipelines, ranging in size from 1.5 inch diameter water lines to 30 inch diameter mains. Thirteen storage tanks provide a combined storage capacity of approximately 8.6 million gallons.

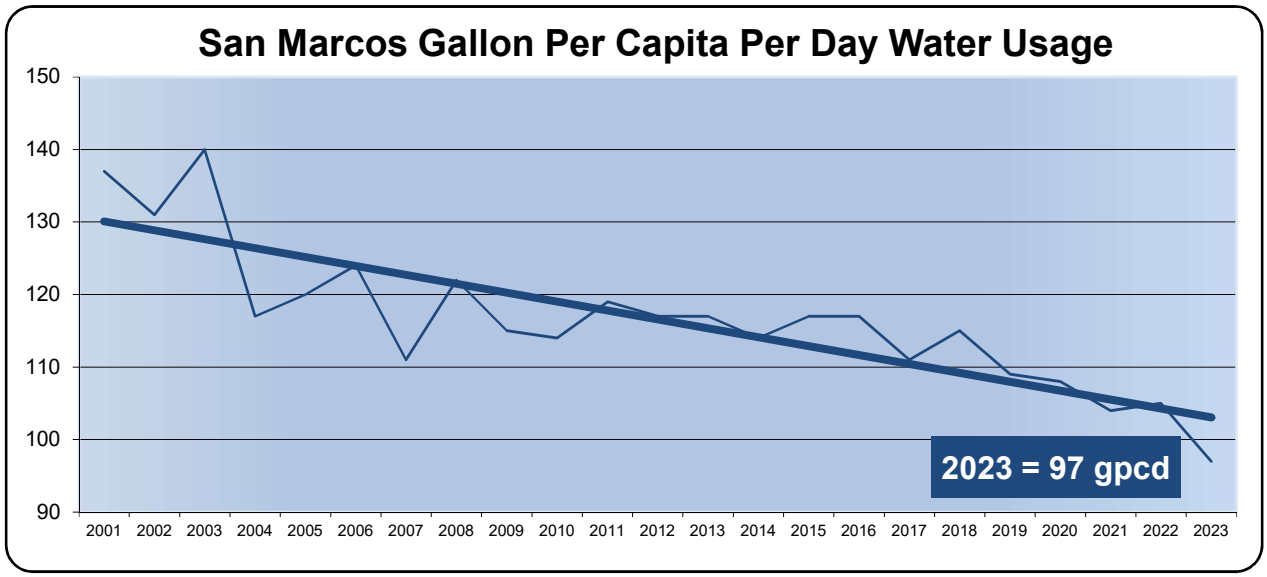
The City maintains approximately 246 miles of wastewater collection mains, with 43 lift stations. The mains deliver wastewater to a 9 MGD wastewater treatment plant. Because much of the treated wastewater is discharged into the San Marcos River, the City is required to use advanced tertiary treatment in order to meet the 5-5-6-2-1 treatment quality standard.

## 3.0 Customer Profile

SMTXU currently provides water service to a population of 97,330 residents through 18,186 water meter connections. About 88% of the connections are classified as Residential users, which includes single-family homes, duplexes, triplexes and fourplexes, apartment communities, and mobile home parks. The residential user class consumes about 69% of the annual water supply.

The Commercial classification makes up about 9% of total connections and is comprised of service establishments such as restaurants, hotels, retail stores, and offices. Commercial users consume approximately 23% of the annual supply. Governmental and Institutional users, about 2% of the customer base, include local, state, and federally owned facilities and community organizations such as schools, churches, and medical facilities. This user class consumes about 6.5% of the annual water supply. San Marcos has only 38 Industrial accounts which use only a small fraction of the annual supply.

In 2023 SMTXU water customers used an average of 97 gallons per capita per day (gpcd), with a residential gpcd of 55. Since 2014, per capita usage has ranged from 117 to 97 gallons per day, with an average use of 110 gpcd.



## 4.0 Conservation Goals

The City of San Marcos has already implemented numerous programs to reduce water consumption and improve efficiency, and will continue to develop additional programs as needed to reduce per capita water use. Using the previous 10 year average of 109.7 gpcd as a baseline for 2024, the GPCD goals are as follows:

| Year | Municipal GPCD | Residential GPCD | Water Loss GPCD |
|---|---|---|---|
| 2029 (5-year target) | 107 | 55.6 | 13 |
| 2034 (10-year target) | 105 | 54.3 | 13 |
| 2049 (25-year target) | 102 | 52.7 | 12 |
| 2074 (50-year target) | 98 | 51.1 | 12 |

In order to reach these goals the City will employ a variety of water conservation best management practices (BMPs) including:

- Maintain unaccounted water usage at or below 12%;
- Continue meter replacement and testing programs;
- Continue system-wide leak detection programs;
- Expand public information and education programs;
- Acquire additional water conservation staff as needed;
- Continue residential and ICI water survey programs;
- Investigate large-scale ICI water conservation incentives;
- Expand reclaim water distribution system;
- Expand efficient irrigation rebate program;
- Install xeriscape, rainwater harvesting and condensate collection demonstration sites;
- Expand efficient landscape incentive program;
- Continued use of Advanced Metering Infrastructure (AMI) system for water conservation.

# 5.0 Best Management Practices

The City has already implemented numerous BMPs as a means of reaching water conservation goals. BMPs are defined as established practices and techniques that have shown documented improvements in water use efficiency.

## *5.1 Water Audit and Leak Detection/Repair Program*

The City conducts monthly and annual pre-screening water audits in an effort to determine and control unaccounted water usage. Unaccounted usage is determined through metered water production, metered sales, and other verifiable water uses such as fire-fighting and line flushing. The City also estimates water losses from known leaks.

In 2000, the City implemented a system-wide leak detection program, with one quarter of the system surveyed each year. Leaks are detected through sonic sounding of all service lines, fire hydrants and valves using leak detection equipment. Reports are generated throughout the survey period and leaks are repaired as soon as practicable, with precedence given to larger leaks.

In addition to the annual leak survey, the City conducts ongoing leak detection activities such as periodic visual inspection of lines and a 24-hour leak report hotline. Suspected and reported leaks are investigated immediately and repaired as soon as possible.

The City's aggressive leak detection and water audit program has lowered unaccounted water use to below 15%, the goal established by the American Water Works Association (AWWA). The City will continue to refine these programs with a goal of reducing and maintaining unaccounted usage below 12%.

## *5.2 Universal Metering*

The City meters all water connections within the service area, and estimates unmetered uses such as fire-fighting, line flushing and water leaks. Construction water from hydrants is allowed only through portable metering devices controlled by the City. Compound water meters are used for customers that are likely to experience periodic low flows, such as apartment complexes and restaurants. Turbo meters are used for customers that are likely to experience only high flows such as car washes, laundromats and irrigation.

In 1987, the City implemented a meter replacement program in which all water meters within the service area are replaced on a ten-year cycle. In 1996 the City added a large meter testing program in which meters four inches and larger are tested annually and repaired or replaced as needed. Testing is accomplished through flow comparison with a calibrated digital water meter, with each meter tested at high, medium, and low flows. In addition to scheduled replacement and testing, meters that are suspected of malfunction are investigated immediately and repaired or replaced as needed.

In 2013 the City completed installation of an Advanced Metering Infrastructure (AMI) system for both water and electric meters. The AMI system provides hourly water usage data which City staff uses in water conservation audits and to identify customer-side leaks. The City utilizes AMI data to provide weekly Continuous Flow Reports to customers that appear to have customer-side water leaks. The City will continue to develop methods for utilizing AMI data and to expand use of this data in conservation programs.

### *5.3 Water Conservation Ordinances*

In 1994, the City adopted its first year-round water conservation ordinance along with the drought management rules.

In 2006 the City adopted a water conservation plumbing code which sets forth requirements for commercial car washes, cooling systems, decorative water features, commercial dining facilities, on-premise laundry facilities and landscape irrigation systems. Irrigation system codes were updated in 2009 to reflect changes to state regulations.

The water conservation and drought response ordinance includes year-round rules that prohibit water waste, use of sprinklers during daytime hours, charity car washes, non-recirculating decorative water features and at-home car washing using open hoses. This ordinance is reviewed and updated periodically, with the latest amendment occurring in 2015.

The recently revised San Marcos Land Development Code also includes landscape water conservation measures for new development. These rules require developers and homebuilders to offer xeriscape options for new single-family homes, require use of low-water landscape materials, provide limitations of turf grass areas in new developments, and require minimum soil depths and quality.

### 5.4 Conservation Pricing

In 1994, the City implemented an increasing block rate structure for all water customers. The rates have been amended numerous times to arrive at the current rate schedule. Each active account is charged a minimum bill based on water meter size, and additional charges based on water use. Costs are higher for rural water customers than for customers within the corporate City limits, and the City offers a Lifeline rate for customers that qualify for financial assistance.

Single-family residential wastewater charges are based on average winter use, while all other users are based on actual metered water consumption. Accounts with dedicated landscape meters are not charged for wastewater service.

The City plans to continue the increasing block rate structure, with rate adjustments implemented as needed. Future adjustments may include seasonal water rates, drought surcharges, or higher rates for irrigation accounts.

### 5.5 Public Information and Education

The City maintains an active public information program to educate water users about the importance of water conservation, and to inform them of effective water conservation techniques. The goal is to reach all water customers and K-12 students through various methods including:

- written materials such as press releases, newsletter articles, and bill inserts;
- water conservation website;
- social media such as Facebook and Twitter;
- representation at public events such as the Business Expo;
- presentations for local groups, clubs, and organizations; and
- classroom presentations and sponsorship of water conservation curriculum.

The City will continue to develop and expand the public information program as additional resources become available. Future public information programs may include expanded use of social media and participation in state or region-wide conservation campaigns.

### 5.6 Conservation Staff

In April 2001, the City created a water conservation position to develop, coordinate, and implement the City's water conservation and drought management programs. The position has

evolved into a joint conservation coordinator for both the water and electric utilities. A full-time conservation technician position was added in 2009. Conservation staff are responsible for:

- development and management of the water conservation budget;
- execution and analysis of residential and ICI water audits;
- development and distribution of public information materials;
- coordination of water conservation school education program;
- development and implementation of rebate/incentive programs;
- preparation of mandated water conservation and drought management plans; and
- enforcement of conservation and drought ordinances.

Additional full or part-time conservation staff will be employed as the water conservation program develops.

### *5.7 Water Audit Program*

In May 2001, the City implemented a water audit program for single and multi-family residential water customers. Each audit includes an evaluation of household leaks, measurement of shower and faucet flow rates, measurement of toilet flush volumes, and assessment of other water uses within the home. Each customer receives general water conservation information as well as individualized information detailing specific water conservation strategies.

In 2002, the City implemented a water audit program for ICI customers. Each audit includes an analysis of known water uses including domestic water usage, process water usage, and equipment water usage which are used to determine water conservation opportunities.

The City will continue to offer water surveys for both residential and ICI water customers.

### *5.8 Plumbing Retrofit Program*

The Plumbing Retrofit Program has been suspended due to mandated water-efficient plumbing codes and regional saturation.

The program was conducted in conjunction with the water audit program and other rebate/incentive programs. Customers that received a water audit or participated in City rebate/incentive programs were also eligible to receive free replacement showerheads, kitchen

and bathroom faucet aerators, and toilet leak detection tablets. The City also distributed plumbing devices at public events and through direct door-to-door delivery.

### *5.9 High-Efficiency Appliance Rebate Program*

The High-Efficiency Appliance Rebate Program has been suspended due to wide availability and competitive pricing of low-water use appliances.

The Wash-Smart Rebate Program was introduced in 2002 for single-family residential water customers, and encouraged use of efficient machines through monetary rebates determined by the level of efficiency of the machine. Criteria were obtained from the Consortium for Energy Efficiency (CEE).

In 2011 the City expanded the washer rebate program to include multi-family and ICI water customers, with higher rebates offered for commercial and coin-operated clothes washers.

### *5.10 Toilet Replacement Program*

The Toilet Replacement Program has been suspended due to mandated efficiency standards, availability of efficient products, and market saturation.

The residential low-flow toilet replacement program was originally implemented in 1995 through funding received from the Edwards Underground Water District (EUWD). The City continued the toilet incentive program until 2017, with various adjustments to the program throughout the years including making the rebate available to multi-family residential and ICI customers, offering rebates for low-flow urinals, offering rebates for installation of high-efficiency fixtures in new construction, and free high-efficiency toilet distribution events.

### *5.11 ICI Conservation Programs*

The City has historically implemented various programs for ICI water customers such as the annual Water Efficiency Achievement (WEA) awards introduced in 2003, and the Pre-Rinse Spray Valve Exchange program launched in 2004.

These programs have been suspended but the City will continue to research and develop additional cost-effective water conservation programs for ICI customers, including a large-scale commercial rebate program which can be customized for various conservation initiatives.

### 5.12 Reuse of Treated Effluent

In 2001, the City began delivery of reclaimed wastewater to the American National Power (ANP) facility located near San Marcos. ANP uses the reclaimed water along with Guadalupe River water to cool their power-producing turbines. The reclaimed water is used instead of treated potable water to dilute the high total suspended solids (TSS) of the river water. Once used, the water goes to an onsite reverse osmosis treatment facility where it is treated and recirculated back into the cooling system.

In 2013 the City began delivering reclaim water to the TXI Hunter Cement Plant for use in plant process water and dust control. In 2016 the City added Brookfield Residential as a reclaim water customer for irrigation of the Kissing Tree Golf Course and streetscape areas.

As per the Direct Water Reuse Expansion Feasibility Study completed in 2014 through a partnership with Texas State University and the Texas Water Development Board, the City has installed reclaim water mains to provide reclaim water to the University thermal plants. These reclaim water mains are also used to irrigate City parks and athletic fields along the route.

### 5.13 Rainwater Harvesting Rebate Program

In 2009 the City implemented a rebate program for purchase of rain barrels. The City has also provided distribution of free rain barrels in conjunction with Native Plant Sales, and has sponsored rain barrel sales through contractor partnerships. The rebate program has been expanded to include rebates for large rainwater and condensate collections systems.

### 5.14 Efficient Landscape and Irrigation Rebate Program

In 2013 the City implemented an irrigation system evaluation program. Through this program the City provides free irrigation system check-ups for residential and commercial water customers to insure their irrigation systems are operating efficiently. The evaluation includes checking for leaks, making sure heads are adjusted properly, checking pressure, and making sure the controller is set properly.

In 2017 the City launched the Soil Saver Rebate Program to encourage development of healthy, drought-tolerant soils. The program includes rebates for core aeration, compost application and use of mulch, and is open to all City of San Marcos water customers.

In 2020 the City implemented a Grass Removal Rebate to encourage single-family water customers to replace water-intensive lawn areas with low or no-water use alternatives such as

xeriscape beds, decorative stone, pervious patis and artificial turf grass. This program has been suspended for now, but will likely be re-evaluated and reinstated in the next few years.

## 6.0 Implementation, Tracking and Enforcement

The Water Conservation Plan is implemented by the SMTXU Director and conservation staff. Funding for water conservation programs is provided through water rates.

The water conservation program is tracked both as a whole and individually for each program. GPCD is the primary method of tracking success of the conservation program overall. Individual programs are tracked through measured or estimated water savings when possible, or through participation rates or other means. Water conservation program information is reported annually to the TWDB.

City of San Marcos water conservation ordinances are enforced by the SMTXU Director and conservation staff, code compliance officers, the San Marcos Police Department and Municipal Court, and other City employees as appropriate. First offenses generally receive a verbal or written notice of violation, along with public education materials. Repeat offenses may result in assessment of civil penalties, misdemeanor fines, and suspension of water service.

## 7.0 Conclusion

Water conservation is an effective and cost-effective method of reducing municipal water demand, and is a necessary component of a successful water supply plan. Through conservation the City of San Marcos plans to reduce water use to 98 gpcd by 2074. The City has already implemented numerous best management practices, and plans to implement additional best management practices as needed to meet its conservation goals.

THE CITY OF
SAN MARCOS

# Drought Response Plan

**April 2024**

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# Drought Response Plan
# for the
# City of San Marcos, TX

## 1.0 Introduction

The objectives of the City of San Marcos Drought Response Plan (the Plan) are to protect water supplies in order to protect human health, safety and welfare, and to minimize adverse impacts caused by drought and other uncontrollable water supply emergencies. The objectives will be achieved through implementation of both voluntary and mandatory demand management measures. The goal of demand management is to reduce non-essential water uses such as landscape irrigation, ornamental fountains and ponds, washing of motor vehicles and washing of impervious surfaces, in order to provide an uninterrupted supply of water for essential uses such as drinking, bathing, sanitation, and fire protection.

The San Marcos Emergency Water Demand Management Plan was originally established in 1991 and was revised by the San Marcos City Council in 1994 and 1996. The Plan has been amended several times to provide consistency with guidelines established by applicable state entities including the Texas Commission on Environmental Quality (TCEQ), Texas Water Development Board (TWDB), Edwards Aquifer Authority (EAA), and Region L Planning Group.

The Plan currently provides for year-round restrictions and four demand management stages, and includes the following elements:

- Conditions for implementation and termination of drought response stages;
- Reduction goals for each drought response stage;
- Mandatory demand reduction measures for each stage; and
- Penalties for violations.

The provisions of the Plan apply to all persons, customers, and property located within the San Marcos city limits and to all persons, customers, and property utilizing water provided by San Marcos Texas Utilities (SMTXU). These requirements do not apply to alternative sources of water such as rainwater, gray water and reclaimed water.

## 2.0 Public Participation and Notification

The public is invited and encouraged to participate in updates and actions relative to the Drought Response Plan. SMTXU periodically provides 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.

As specified under Section 86.058 of the ordinance, notices to implement or terminate respective stages of the demand management plan are provided to the public on the City website and by news release to public media outlets. Information may also be provided on social media sites, direct customer distribution, or any other methods deemed appropriate. The Director of SMTXU (Director) may also directly notify other individuals, agencies and entities as appropriate.

## 3.0 Initiation and Termination

The Director will monitor water supply conditions on a daily basis to determine when initiation or termination of each demand management stage is justified. Implementation or termination of drought stages may be based on any one or more of the following:

- Availability of combined ground and surface water supplies,
- Water system demands and usage,
  - Stage 1 - implemented when average daily water consumption reaches 70% of available water production capacity,
  - Stage 2 – implemented when average daily water consumption reaches 75% of available water production capacity,
  - Stage 3 – implemented when average daily water consumption reaches 80% of available water production capacity.
- Drought and weather conditions,
- Production or distribution system limitations,
- Water quality or distribution system emergencies.

Any stage of the Drought Response Plan may be implemented when a water quality, water supply, distribution system or other emergency exists as determined by the Director.

Each stage shall be terminated when the criteria are no longer satisfied, or as otherwise determined by the Director.

## 4.0 Goals

The goals of the Drought Response Plan are to achieve reductions in water usage by limiting non-essential water uses. The specific reduction goals for each demand management stage are as follows:

- Stage 1: Reduce total water usage by 10%.
- Stage 2: Reduce total water usage by 20%.
- Stage 3: Reduce total water usage by 30%.
- Stage 4: Reduce total water usage by 40%.
- Emergency: Reduce total water usage as needed to protect human health, safety and welfare.

## 5.0 Demand Management Measures

The City of San Marcos Drought Response Plan includes year-round restrictions and four drought response stages with progressively stringent demand management measures for the following:

- Water waste;
- Irrigation with hose-end sprinklers and automatic sprinkler irrigation systems;
- Irrigation with hand-held bucket, hand-held hose, soaker hose and drip irrigation systems;
- Irrigation of golf courses, athletic fields and commercial nurseries;
- Vehicle washing:
- Swimming pools;
- Aesthetic water features;
- Washing of impervious surfaces;
- Foundation watering; and
- Other non-essential water uses.

## 6.0 Variances

The Director may grant a variance to the provisions of this Plan if it is determined that special circumstances exist. A variance will be considered if it meets any of the following conditions:

- Compliance will adversely affect public health and/or safety,
- Compliance cannot be technically accomplished, or
- Alternative methods can be implemented which will achieve the same reduction in water use.

Persons requesting an exemption from the provisions of this Plan must file a petition for variance with the Director. Petitions for variance must include the following information:

- Name and address of petitioner(s),
- Purpose and location of water use,
- Provision(s) of the Plan from which the petitioner is requesting a variance,
- Explanation of how provision(s) of the Plan will adversely affect the petitioner,
- Period of time for which the variance is sought,
- Alternative demand management measures the petitioner is taking or proposes to take to meet the intent of this Plan, and
- Any other pertinent information as requested.

Petitions for variance will be reviewed and acted upon within two weeks of receipt. If the petition for variance is denied, the petitioner may request an appeal from the San Marcos City Manager.

New landscape variances may be issued to allow additional watering days for the establishment of newly installed landscaping. New landscape variances will not be issued at any time when stage 3 or higher is in effect.

## 7.0 Implementation and Enforcement

The City of San Marcos Drought Response Plan is implemented and enforced in accordance with sections 86.066 – 86.070 of the drought response ordinance. Enforcement personnel include the Director and designated staff, City peace officers, City code enforcement officers, and other individuals authorized to enforce City ordinances. Enforcement actions may include education, formal notices of violation, civil penalties assessed though the utility billing system, misdemeanor charges, installation of flow control devices and termination of water service.

# APPENDIX A:

# WATER CONSERVATION AND DROUGHT RESPONSE ORDINANCES

**Section 86.056. Definitions.**

Terms in this division have the following meanings unless otherwise specified:

*Aesthetic water feature* means a fountain, waterfall, landscape lake or pond, or another decorative feature where the use is entirely ornamental and serves no other functional purpose.

*Alternative water* means any water source on or available to a customer's premises from a source other than directly from the city's water sources. Alternative water sources include the following:

(1) Water from a natural source such as a spring, pond, or river (if permitted).

(2) Reclaimed water.

(3) Gray water.

(4) Rain water.

(5) Any water supplied by the city water system that has passed through a point of delivery and is no longer controlled by the public water system.

The term does not include water from a well.

*Aquifer* means the Edwards Aquifer.

*ARWA* means Alliance Regional Water Authority.

*Automatic sprinkler irrigation system* means a system of fixed pipes and sprinkler heads that apply water to landscape plants or turf.

*Capacity* means total available output from SMTXU water supplies in million gallons per day (MGD).

*Charity car wash* means any special event involving the washing of vehicles for a donation.

*Commercial car wash* means any permanently located or mobile car wash that washes automobiles, trucks, trailers, boats and other mobile equipment for a fee.

*Commercial vehicle washing* means washing of automobiles, trucks, trailers, boats, and other mobile equipment at any commercial car wash or fleet maintenance facility, or at any location other than a private residence.

*CRWA* means Canyon Regional Water Authority.

*Curtailment* means the amount of water supply available for each water source during drought stage.

(1)

*Designated weekday* means the weekday within each calendar week for which particular types of water use are allowed based on the last number of the street address for a property, as follows:

(1) Monday - street addresses ending with 0 or 1

(2) Tuesday - street addresses ending with 2 or 3

(3) Wednesday - street addresses ending with 4 or 5

(4) Thursday - street addresses ending with 6 or 7

(5) Friday - street addresses ending with 8 or 9

*Designated weekend day* means the weekend day within each calendar week for which particular types of water use are allowed based on the last number of the street address for a property, as follows:

(1) Saturday – street addresses ending with 0, 1, 2, 3 or 4

(2) Sunday – street addresses ending with 5, 6, 7, 8 or 9

*Director* means the Director of San Marcos Texas Utilities (SMTXU) , or a person designated by the Director to act in his or her behalf

*Drip irrigation system* means a system of fixed pipes or hoses with emitters designed to apply water to plants slowly and under pressurized conditions at or below the soil surface without airborne streams or droplets.

*EAA* means Edwards Aquifer Authority.

*Existing facility* means a swimming pool, hot tub, aesthetic water feature or any similar facility, installed during any period for which a drought response stage is not in effect.

*Existing landscape* means landscaping plants and/or turf on which installation was completed more than 30 days from current date.

*GBRA* means the Guadalupe Blanco River Authority.

*Gray water* means water that has previously been used in sinks, showers, bathtubs, and clothes washing machines.

*Hand-held bucket* means a container holding five gallons or less.

*Hand-held hose* means a common garden hose not more than 1 inch in diameter and equipped with a positive shutoff device, used while being held in the hand of one person.

*Health and safety use* means use of water for any purpose that is necessary to protect human health and safety.

*Hose-end sprinkler* means a sprinkler that applies water to landscape plants through a flexible, movable hose.

*Impervious surface* means a type of surface that prevents water from penetrating directly into the ground. Impervious surfaces include, but are not limited to, sidewalks, driveways, paved streets, and pavers or stones set with mortar.

*Irrigation conservation plan* means a plan that outlines specific measures to be taken during drought stages to progressively reduce consumption in higher drought stages. The plan must include an irrigation system maintenance plan and an irrigation system analysis, and must meet reduction goals as established by the Director.

*Landscape watering* means the application of water to grow landscaping plants.

*Landscaping plant* means any plant, including any tree, shrub, vine, herb, flower, vegetable, fruit, succulent, ground cover or grass species that is used for landscaping purposes or for the support of intensive recreational areas including playgrounds and playing fields.

*Makeup* means partial refilling of a swimming pool or hot tub or aesthetic water feature to replace water lost through evaporation or backwashing.

*New facility* means a swimming pool, hot tub, aesthetic water feature or any similar facility, installed during any period for which a drought response stage is in effect. When the stage, together with all other stages which precede or succeed that stage in a continuous time period, is rescinded, the new facility will be treated thereafter as an existing facility.

*New landscape* means landscaping plants and/or turf on which installation was completed within the last 30 days.

*Non-commercial vehicle washing* means washing of automobiles, trucks, trailers, boats, and other mobile equipment at a private residence.

*Non-essential water use* means any usage of water that is not required for:

(1) a health and safety use;

(2) personal needs such as drinking, bathing, cooling, heating, cooking, food preparation, cleaning or sanitation;

(3) medical or industrial processes; or

(4) watering of livestock.

*Not in use* means as it relates to swimming pools, hot tubs and similar facilities, a facility which is not used during any 24 hour period.

*Person* means, with respect to this division, any individual, corporation, partnership, or other legal entity within the corporate limits of the City, or any individual, corporation, partnership, or other legal entity outside the corporate limits of the city who is a city water customer.

*Positive shutoff device* means a device which permits water to flow through it only when a continuous pressure is applied to a handle, trigger, or similar portion of the device.

*Reclaimed water* means treated wastewater that is recycled or reused after it has been used for another purpose.

*SMTXU* means San Marcos Texas Utilities.

*Soaker hose* means a portable hose with small openings that applies water slowly to plants at the soil surface.

*Swimming pool* means any structure, basin, chamber or tank, including hot tubs, containing an artificial body of water for swimming, diving or recreational bathing, and having a depth of two (2) feet or more at any point.

*Tree bubbler* means an emission device on an automatic irrigation system that is designed to apply water slowly to the ground surface area around a tree without airborne streams or droplets.

*Vegetable garden* means a plot of land dedicated to cultivation of edible plants intended for human consumption.

*Waste* means any activity which causes or results in excessive water usage, including but not limited to the following:

(1) allowing water to run off a property onto adjacent properties, or into a gutter, ditch, drain, creek, or any other natural or man-made water course;

(2) allowing water to puddle or pond to a depth greater than ¼ inch;

(3) operating a sprinkler system with broken heads or pipes, or with misaligned spray heads that direct water over a street or parking lot; or

(4) failure to repair any controllable leak.

(Ord. No. 2015-15, §1, 4-21-15)

**Section 86.057. Applicability.**

The requirements set forth under this division apply to all persons and entities located within the San Marcos city limits, and to all persons and entities using water provided directly by SMTXU. These requirements do not apply to alternative sources of water such as rainwater, gray water and reclaimed water.

**Section 86.058. Implementation and termination of drought response stages.**

The Director shall monitor water supply conditions on a daily basis and provide information to the City Manager. The Director shall issue notices to implement or terminate drought response stages based on any one or a combination of the following:

(1) Edwards Aquifer levels, Canyon Lake levels, ARWA and CRWA supplies, and availability of other ground and surface water sources;

(2) *Mild water shortage Stage 1.*

*a. The average daily water consumption reaches approximately 70% of the available water production capacity, and has been that high for a period of seven-days;*

(3) *Moderate water shortage Stage 2.*

*a. The average daily water consumption reaches approximately 75% of the rated available water production capacity for a seven-day period;*

(4) *Severe water shortage Stage 3.*

*a.* The *average daily water consumption reaches approximately 80% of available water production capacity for a period of seven days;*

(5) Drought and weather conditions;

(6) Water system demands and usage;

(7) Production or distribution system limitations;

(8) Water quality or distribution system emergencies.

(9) Any stage may be implemented when an emergency exists as determined by the Director. The stage will be terminated when the conditions which prompted initiation of the restrictions no longer exist.

**Section 86.058-1. Notice of implementation and termination of drought response stages.**

Notices of implementation and termination of drought stages shall be provided to the public on the City's internet website and by a news release to public media outlets.

**Section 86.059. Year-round water use allowances and restrictions.**

The following allowances and restrictions are in effect at all times; however, the allowances and restrictions may be superseded by more stringent restrictions upon implementation of a drought response stage.

(1) Waste of water is prohibited at all times.

(2) Irrigation with hose-end sprinklers and automatic sprinkler irrigation systems is allowed during designated usage times.

(3) Irrigation with soaker hose and drip irrigation systems is allowed on any day and at any time.

(4) Irrigation with hand-held bucket or hand-held hose is allowed on any day and at any time.

(5) Irrigation of golf courses and athletic fields with sprinklers is allowed during designated usage times.

(6) Irrigation of plants in inventory at commercial nurseries is allowed on any day and at any time.

(7) Irrigation of vegetable gardens is allowed on any day and at any time.

(8) Vehicle washing.

a. Charity car washes are prohibited unless held at a commercial car wash.

b. Non-commercial vehicle washing is allowed on any day and at any time, but must be done using a hand-held bucket or a hand-held hose equipped with a positive shutoff device.

c. Commercial vehicle washing is allowed on any day and at any time.

(9) Swimming pools located outdoors should be covered while not in use to minimize evaporative losses.

(10) Operation of non-recirculating aesthetic water features is prohibited at all times.

(11) Washing of impervious surfaces is allowed but should be limited unless required for health and safety use.

(12) Foundation watering is allowed on any day and at any time.

(13) Other non-essential water uses are allowed but all reasonable measures shall be taken to limit the use.

(Ord. No. 2015-15, § 1, 4-21-15)

**Section 86.060. Stage 1 water use allowances and restrictions.**

The following measures are in effect for any period when stage 1 of the drought response plan has been implemented:

(1) Waste of water is prohibited.

(2) Irrigation with hose-end sprinklers and automatic sprinkler irrigation systems is allowed two days per week on the designated weekday and designated weekend day before 10 a.m. or after 8 p.m.

(3) Irrigation with soaker hose and drip irrigation system is allowed on any day and at any time.

(4) Irrigation with hand-held bucket or hand-held hose is allowed on any day and at any time.

(5) Irrigation of golf courses and athletic fields is restricted as follows:

a. Irrigation of out-of-play areas such as entryways and clubhouses shall follow general Stage 1 irrigation restrictions.

b. Irrigation of in-play areas shall follow general Stage 1 irrigation restrictions unless an irrigation conservation plan has been submitted and approved by the director.

(6) Irrigation of plants in inventory at commercial nurseries is allowed on any day and at any time.

(7) Irrigation of vegetable gardens using hand-held bucket, hand-held hose, soaker hose or drip irrigation is allowed on any day and at any time.

(8) Vehicle washing is restricted as follows:

a. Charity car washes are prohibited unless held at a commercial car wash facility using such facility's equipment.

b. Non-commercial vehicle washing is allowed one day per week and must be done using a hand-held bucket or a hand-held hose equipped with a positive shutoff device.

c. Commercial vehicle washing is allowed on any day and at any time.

(9) Swimming pools located outdoors should be covered when not in use to minimize evaporative losses.

(10) Operation of non-recirculating aesthetic water features is prohibited.

(11) Washing of impervious surfaces is allowed only one day per week.

(12) Foundation watering using drip system, soaker hose or hand-held hose is allowed only one day per week.

(13) Other non-essential water uses are allowed but all reasonable measures shall be taken to limit the use.

(Ord. No. 2015-15, §1, 4-21-15)

**Section 86.061. Stage 2 water use allowances and restrictions.**

The following measures are in effect for any period when stage 2 of the drought response plan has been implemented:

(1) Waste of water is prohibited.

(2) Irrigation with hose-end sprinklers and automatic sprinkler irrigation systems is allowed only one day per week on the designated weekday before 10 a.m. or after 8 p.m.

(3) Irrigation with soaker hose and drip irrigation system is allowed on any day before 10 a.m. or after 8 p.m.

(4) Irrigation with hand-held bucket or hand-held hose is allowed on any day and at any time.

(5) Irrigation of golf courses and athletic fields is restricted as follows:

a. Irrigation of out-of-play areas such as entryways and clubhouses shall follow general Stage 2 irrigation restrictions.

b. Irrigation of in-play areas shall follow general Stage 2 irrigation restrictions unless an irrigation conservation plan has been submitted and approved by the director. (6) Irrigation of plants in inventory at commercial nurseries is allowed on any day and at any time.

(7) Irrigation of vegetable gardens using hand-held bucket, hand-held hose, soaker hose or drip irrigation is allowed on any day and at any time.

(8) Vehicle washing is restricted as follows:

a. Charity car washes are prohibited except at a commercial car wash facility using such facility's equipment.

b. Non-commercial vehicle washing is allowed one day per week and must be done using a hand-held bucket or hand-held hose equipped with a positive shutoff device.

c. Commercial vehicle washing is allowed on any day and at any time.

(6) Swimming pools:

a. Swimming pools located outdoors should be covered when not in use to minimize evaporative losses.
b. Draining and re-filling existing swimming pools is prohibited unless required for health and safety.
c. Filling new swimming pools is allowed.
d. Adding make-up water to maintain existing swimming pools is allowed.

(10) Filling of outdoor aesthetic water features is prohibited.

(11) Washing of impervious surfaces is allowed only one day per week.

(12) Foundation watering using a drip system, soaker hose or hand-held hose is allowed only one day per week.

(13) Other non-essential water uses are allowed but all reasonable measures shall be taken to limit the use.

(Ord. No. 2015, § 1, 4-21-15)

**Section 86.062. Stage 3 water use allowances and restrictions.**

The following measures are in effect for any period when stage 3 of the drought response plan is in effect:

(1) Waste of water is prohibited.

(2) Irrigation with hose-end sprinklers and automatic sprinkler irrigation systems is allowed only one day every other week on the designated weekday before 10 a.m. or after 8 p.m.

(3) Irrigation with soaker hose and drip irrigation system is allowed only one day per week on the designated weekday before 10 a.m. or after 8 p.m.

(4) Irrigation with hand-held bucket or hand-held hose is allowed on any day before 10 a.m. or after 8 p.m.

(5) Irrigation of golf courses and athletic fields is restricted as follows:

a. Irrigation of out-of-play areas such as entryways and areas around clubhouses shall follow general Stage 3 irrigation restrictions.

b. Irrigation of in-play areas shall follow general Stage 3 irrigation restrictions unless an irrigation conservation plan has been submitted and approved by the director.

(6) Irrigation of plants in inventory at commercial nurseries is allowed on any day and at any time

(7) Irrigation of vegetable gardens using hand-held bucket, hand-held hose, soaker hose or drip irrigation is allowed on any day and at any time.

(8) Vehicle washing is restricted as follows:

a. Charity car washes are prohibited unless held at a commercial car wash facility using such facility's equipment.

b. Non-commercial vehicle washing is prohibited.

c. Commercial vehicle washing is allowed on any day and at any time.

(5) Swimming pools:

a. Swimming pools located outdoors should be covered when not in use to minimize evaporative losses.
b. Draining and re-filling existing swimming pools is prohibited unless required for health and safety.
c. Filling new swimming pools is prohibited.
d. Adding make-up water to maintain existing swimming pools is allowed.

(10) Operation of outdoor aesthetic water features is prohibited.

(11) Washing of impervious surfaces is prohibited unless required for health and safety purposes.

(12) Foundation watering using a drip system, soaker hose or hand-held hose is allowed only one day per week.

(13) Other non-essential water uses are allowed but all reasonable measures shall be taken to limit the use.
(Ord. No. 2015-15, § 1, 4-21-15)

**Section 86.063. Stage 4 water use allowances and restrictions.**

The Director may implement additional measures as deemed appropriate for any period when stage 4 of the drought response plan is in effect.

**Section 86.064. Variances.**

(a) The Director or Director of CIP/Engineering may grant a variance from the requirements of this article if it is determined that special circumstances exist and that:

(1) compliance with this article adversely affects the health or safety of the public;

(2) compliance with this article can not be technically accomplished;

(3) alternative methods can be implemented that will achieve the same reduction in water use; or

(4) the Director of CIP/Engineering may only grant a variance for a CIP project, and only if it is determined that one of the above three criteria exist.

(b) A request for variance will not be considered if submitted after an enforcement action has been taken.

(c) A person may seek a variance from the provisions of this article by filing a written petition for variance with the director. Any petition for variance must include the following information:

(1) Name and address of petitioner(s);

(2) Purpose and location of water use;

(3) Specific provisions of this division for which the petitioner is requesting a variance;

(4) Detailed explanation of how the specific provisions will adversely affect the petitioner(s);

(5) Period of time for which the variance is sought;

(6) Alternative measures the petitioner proposes to implement in order to meet the intent of this division; and

(7) Any other pertinent information as required by the director.

(d) The Director will have two weeks from receipt of the petition for variance to review and act upon the request. If no action is taken within two weeks, the request shall be considered denied.

(e) Approved variances shall include a description of the variance and a specific time frame. A copy of the approved variance shall be retained by the petitioner.

**(f) A petitioner may appeal a denial of a variance petition to the City Manager. The City Manager will have two weeks from receipt to review and act on an appeal. If no action is taken within two weeks, the appeal shall be considered denied.**

**Section 86.065. New landscape variance.**

The Director may grant a variance from the requirements of this article to allow additional watering days for the establishment of new landscaping. New landscape variances may not be issued at any time when Stage 3 or higher is in effect. The Director shall develop and promulgate criteria for the granting of a variance under this section and any forms consistent with such criteria for customers to request a variance.

**Section 86.066. Violations.**

(a) It shall be unlawful for any person to intentionally, knowingly, recklessly, or with criminal negligence allow or cause any violation of any provision or restriction of this division.

(b) The Director is authorized and instructed to commence any action, in law or in equity, including the filing of criminal charges, deemed necessary for the purpose of enforcing this division. The Director may seek civil penalties and any other legal or equitable relief available under common law, Chapter 54 of the Texas Local Government Code or any other applicable city, state or federal code or statute necessary to enforce this division. To the extent allowed by law, the municipal court shall have concurrent jurisdiction over any civil enforcement for violations of this division.

(c) It is not a defense to prosecution under any provision of this division that the violation charged is no longer occurring or no longer exists. A judge of the municipal court may not dismiss a complaint or enter a finding of not guilty on the grounds that the violation is no longer occurring or no longer exists.

(d) Violations of this division by a customer of the city water system may result in installation of a flow control device on the customer's water line, or termination of the customer's water service.

**Section 86.067. Enforcement personnel.**

In addition to all peace officers, code enforcement officers, and other persons authorized to enforce city ordinances, the Director is authorized to enforce this division by issuing citations to violators, filing complaints in the municipal court, and filing civil enforcement actions.

**Section 86.068. Registered water user presumed.**

For purposes of this division, in any case where water has been used on a property in violation of this division, it shall be presumed that the person in whose name a water meter connection is registered with the city for the property has intentionally, knowingly, recklessly, or negligently caused or allowed the violation to occur. Proof that the particular premises had a water meter connection registered in the name of the defendant cited in a criminal or civil complaint filed under this division shall constitute *prima facie* evidence that the defendant caused or allowed the violation to occur.

**Section 86.069. Penalties**

(a) *Criminal Penalties***:** A person who violates any provision of this division commits a misdemeanor, and upon conviction, shall be punished by a fine in the respective amounts shown:

(1) 1st offense – not less than $100.00 or more than $250.00

(2) 2nd offense – not less than $250.00 or more than $500.00.

(3) 3rd offense – not less than $500.00 or more than $2,000.00.

(b) Each violation of a particular provision of this division shall constitute a separate offense, and each day a violation occurs or continues shall be considered a new offense.

(c) *Civil Penalties.* At the option of the Director for each violation of this division a civil notice of violation may be issued in lieu of a criminal citation. Civil penalty assessments shall not exceed one thousand dollars ($1,000.00); however, each violation of a particular section of this division shall constitute a separate violation, and each day a violation continues shall be considered a new violation for purposes of enforcing this division.

(1) Civil penalties may be assessed by mailing, certified mail, a notice of violation to the person who is the registered water user at the address of the alleged violation, or may be hand delivered to a person accepting responsibility for premises where the alleged violation occurred. The notice of violation shall set forth the details of the violation and the proposed penalty.

(2) The registered user, or other person receiving a notice of violation, shall be given ten (10) calendar days from the receipt of a notice of violation to file a written notice to the director requesting an appeal of the violation. If an appeal is not requested within the ten (10) day period, the notice of violation becomes final, and the stated penalty is due.

(3) After the Director receives a request for an appeal, the request will be forwarded to the Municipal Court of Record where a hearing on the appeal will be conducted.

(4) The Municipal Court of Record shall have jurisdiction to hear appeals of the assessment of civil penalties. An appeal hearing will be conducted in the same manner as a bench trial for a Class C misdemeanor. At the conclusion of the trial, the Judge may, based on the evidence and testimony, enter an order dismissing, upholding, or amending the penalty that was previously assessed by the director. The order entered by the Municipal Court of Record is a final order on the matter.

(5) A civil penalty assessed against a utility customer for violation of this division may be collected through the utility billing system as part of the consolidated billing system. All such civil penalties are subject to the provisions of Sections 86.199 and 86.200 of the San Marcos Code of Ordinances.

(d) Enforcement personnel may issue verbal and/or written warnings prior to issuance of a citation.

**Sec. 86.070. Liability of corporate officers for penalty.**

Whenever a corporation or association violates any provision of this division or in a drought response order issued under this division, the president, vice-president, secretary, treasurer, manager or any agent or employee of the corporation or association who is responsible for the violation shall be subject to the penalty prescribed for the violation.

**City Code Chapter 14, Buildings and Building Regulations**

**Article 6, Plumbing Code**

**DIVISION 2. WATER CONSERVATION**

## Sec. 14.120. - Definitions.

Terms in this division have the following meanings unless otherwise specified:

*Adjustable flow control* means a mechanism that can be adjusted to restrict water flow through a valve, thus reducing discharge pressure.

*Check valve* means a device that allows water to flow in one direction only and prevents flow through the system unless a pre-set pressure has been achieved.

*Commercial water customer* means a city water customer that uses water for service-related uses such as restaurants, hotels/motels, retail stores, car washes, laundromats/dry cleaners, physician's offices and office buildings.

*Conveyor carwash* means a commercial car wash that uses a conveyor belt to move vehicles through various washing stations.

*Cooling system* means a heating, ventilation and air conditioning system that uses water for cooling purposes.

*Cycles of concentration* means a measure of the number of times the solids content of recirculating water has been increased over that of the make-up water. Example: If the circulating water has four times the solids concentration compared to that of the make-up water, then the cycles of concentration is four.

*Decorative water features* means features such as fountains, waterfalls, landscape lakes or ponds, and other aesthetic features where the use is entirely ornamental and serves no other functional purpose.

*Director* means the director of the Public Services Department, or a person designated by the director to act in his or her behalf, including the water conservation coordinator.

*Existing* means in existence before September 30, 2006.

*Flow sensor* means a device that monitors, measures, and/or records the rate of flow of water, and shuts off the system when flows exceed a specified rate.

*Flow restrictor* means a device which limits the flow of water through an opening.

*ICI* means an industrial water customer, a commercial water customer, or an institutional water customer.

*In-bay automatic carwash* means a commercial car wash in which the vehicle remains stationary within a wash bay while automatic arms move back and forth over the vehicle to clean it.

*Industrial water customer* means a city water customer that uses water for manufacturing and/or fabrication of goods.

*Institutional water customer* means a city water customer that uses water for institutional facilities such as hospitals, nursing care facilities, child day care facilities, correctional institutions, college/professional schools, elementary/secondary schools, and places of religious assembly.

*Irrigation system* means an assembly of component parts that is permanently installed for the controlled distribution and conservation of water to irrigate any type of landscape vegetation in any location other than agricultural operations as defined by Texas Agricultural Code § 251.002, and/or to reduce dust or control erosion.

*Irrigation system evaluation* means an inspection of a landscape irrigation system, including a review of design appropriateness for current landscape requirements, proper functioning of sprinkler heads, valves and other components, precipitation rates, irrigation schedules, and maintenance plan.

*Irrigation technician* means a person who works under the supervision of a licensed irrigator to install, maintain, alter, repair, service or supervise installation of an irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30 TAC Chapter 30 (relating to Occupational Licenses and Registrations).

*Irrigator* means a person who sells, designs, offers consultations regarding, installs, maintains, alters, repairs, services or supervises the installation of an irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30 TAC Chapter 30 (relating to occupational licenses and registrations).

*Low-angle spray heads* means spray heads that direct water droplets closer to the surface of the ground, thus reducing losses to wind drift and evaporation.

*Low-head drainage* means a condition in which water drains partially or completely out of a lateral line through a sprinkler head after an irrigation cycle is completed.

*Master valve* means a remote control automatic valve located after the backflow prevention device that controls the flow of water to the irrigation system mainline.

*Mobile carwash* means a commercial business equipped with a vehicle or trailer-mounted self-contained washing system with water or detergent solution, storage tank, high pressure/low flow pumping equipment, hoses, spray wand and related appurtenances.

*New* means installed on or after September 30, 2006.

*On-premises laundry facility* means a laundry facility located on the premises of a commercial or institutional business, and serving only the customers or residents of that facility. Examples of on-premises laundry facilities include those found at hospitals, nursing homes, and hotels.

*Positive shutoff device* means a device which permits water to flow through it only when an outside force or pressure is applied to it.

*Pre-rinse spray valve* means a high-pressure spray attachment used in commercial and institutional kitchens to pre-rinse dishes before loading them into a dishwasher.

*Self-service carwash* means a commercial car wash in which the vehicle is washed manually within a wash bay by the customer using high-pressure sprayers and brushes.

*Shrub riser* means a device that elevates a sprinkler head several feet above the ground surface so that water is applied over the top of shrubs and other tall landscape plants.

*Single-pass water cooling* means a process in which water is circulated only once through a piece of equipment to cool it before being discharged to the waste stream. Single-pass cooling, also known as once-through cooling, is often used for CAT scan, x-ray equipment, degreasers, hydraulic equipment, condensers, air compressors, welding machines, vacuum pumps, ice machines and air conditioners.

*Solenoid shutoff valve* means a device which opens a valve only when an electrical current is applied, and closes the valve when no current is present.

*Static water pressure* means the pressure of water when it is not moving.

*Subsurface drip* means the slow application of water, usually under low pressure, beneath the soil surface.

*Surface drip* means the slow application of water, usually under pressure, at the soil surface.

*Swing joint* means a flexible joint or pipe connecting a sprinkler head to a lateral pipe.

*Water budget* means a feature on a landscape irrigation system controller which allows the user to set a monthly or seasonal water schedule based on evapotranspiration and/or rainfall amounts.

*Water recirculating system* means a system of pumps, tanks, and treatment components used to treat and reuse water continuously for a single purpose.

*Zone valve* means an automatic valve that controls a single zone of a landscape irrigation system.

( Ord. No. 2023-09 , § 1(Exh. A), 2-7-23)

### Sec. 14.121. - Car washes.

(a) New conveyer car washes must be equipped with a water recycling system.

(b) New in-bay automatic car washes must use water recycling systems, ultra-low-flow spray nozzles or alternative means to achieve fresh water usage of no more than 55 gallons per vehicle.

(c) New and existing self-service and mobile car washes must utilize positive shutoff device spray wands with a flow rate of no more than three (3) gallons per minute.

( Ord. No. 2023-09 , § 1(Exh. A), 2-7-23)

### Sec. 14.122. - Cooling systems.

(a) New cooling systems may not utilize single-pass water cooling for any purpose.

(b) New cooling systems must be designed and operated to achieve a minimum off four cycles of concentration.

( Ord. No. 2023-09 , § 1(Exh. A), 2-7-23)

### Sec. 14.123. - Decorative water features.

(a) New decorative water features must be equipped with a water recirculating system.

(b) Existing decorative water features must be retrofitted with a water recirculating system.

( Ord. No. 2023-09 , § 1(Exh. A), 2-7-23)

### Sec. 14.124. - Dining facilities.

(a) New commercial and institutional garbage disposals must be equipped with flow restrictors and solenoid shutoff valves.

(b) Existing commercial and institutional garbage disposals must be retrofitted with flow restrictors and solenoid shutoff valves.

(c) New commercial and institutional ice machines should be equipped with air-cooled, instead of water-cooled, condensers. If a water-cooled model is used, the cooling system must be equipped with a water recycling system.

(d) Pre-rinse spray valves must be equipped with positive shutoff devices and must meet the 1.6 gallons per minute performance standard established under Texas Health and Safety Code Section 372.005.

( Ord. No. 2023-09 , § 1(Exh. A), 2-7-23)

### Sec. 14.125. - On-premises laundry facilities.

New commercial, industrial and institutional on-premises laundry facilities must be equipped with a water recycling system.

( Ord. No. 2023-09 , § 1(Exh. A), 2-7-23)

### Sec. 14.126. - Landscape irrigation systems.

(a) *Landscape irrigation rule.* The landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Chapter 344, Subchapter A, § 344.1, Subchapter C, §§ 344.30—344.38, Subchapter D, §§ 344.40—344.43 and Subchapters E and F, §§ 344.50—344.65, Texas Administrative Code (effective January 1, 2009), as the same may be from time to

time amended, are hereby adopted by reference as the landscape installation irrigation rules of the city.

(b) *P2609 Landscape irrigation.* The International Residential Code, 2015 Edition, as adopted by the International Code Council, Inc., in cooperation with the International Conference of Building Officials and with all local amendments as previously adopted by the City of San Marcos is hereby amended to add Section P2610 to Chapter 26, General Plumbing Requirements and to read as follows.

(c) *Minimum standards for landscape irrigation systems.* The landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Chapter 344, Subchapter A, § 344.1, Subchapter C, §§ 344.30—344.38, Subchapter D, §§ 344.40—344.43 and Subchapters E and F, §§ 344.50—344.65 Texas Administrative Code (effective January 1, 2009), as the same may be from time to time amended, are hereby adopted by reference as the landscape installation irrigation rules of the city.

(d) *Valid license required and exemptions.*

(1) Any person who connects an irrigation system to the water supply within the city or the city's extraterritorial jurisdiction (ETJ), must hold a valid license, as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903, Subchapter F of the Texas Occupations Code, or as defined by Title 22, Chapter 365 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code.

(2) A property owner is not required to be licensed in accordance with Texas Occupations Code, Title 12, § 1903.002(c)(1) if he or she is performing irrigation work in a building or on a premises owned or occupied by the person as the person's home. A home or property owner who installs an irrigation system must meet the standards contained in Title 30, Texas Administrative Code, Chapter 344, Sections:

344.50 (Backflow Prevention Methods),

344.51 (Specific Conditions and Cross-Connection Control),

344.52 (Installation of Backflow Prevention Device),

344.60 (Water Conservation),

344.61 (Minimum Standards for the Design of the Irrigation Plan, except (c)(1)) and,

344.62 (Minimum Design and Installation Requirements, except (o)).

(3) Upon completion of the irrigation system, the home or property owner must prepare and retain an irrigation plan that shows the actual installation of the system.

(4) As provided in the Texas Occupations Code § 1903.002 for other exemptions to the licensing requirement.

*(e) Permit required and exemptions.*

(1) Any person installing an irrigation system within the territorial limits or extraterritorial jurisdiction of the city is required to obtain a permit from the city. Any plan approved for a permit must be in compliance with the requirements of this chapter. The permit will be issued by the permit center a division of planning and development services.

(2) The permitting requirements do not apply to:

a. An irrigation system that is an on-site sewage disposal system, as defined by Section 366.002, Health and Safety Code; or

b. An irrigation system used on or by an agricultural operation as defined by Section 251.002, Agriculture Code; or

c. An irrigation system connected to a groundwater well used by the property owner for domestic use.

*(f) Backflow prevention methods and devices.* All irrigation systems must comply with the adopted City of San Marcos Article 9 - Cross Connection Control and Backflow Prevention Requirements.

*(g) Water conservation.* All irrigation systems shall be designed, installed, maintained, altered, repaired, serviced, and operated in a manner that will promote water conservation.

*(h) Design and installation.*

(1) Irrigation plan design and installation shall meet the minimum standards and rules of the Texas Administrative Code.

(2) Beginning January 1, 2010, either a licensed irrigator or a licensed irrigation technician as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903 of the Texas Occupations Code, or as defined by Chapter 365, Title 22 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code, shall be on-site at all times while the landscape irrigation system is being installed. When an irrigator is not on-site, the irrigator shall be responsible for ensuring that a licensed irrigation technician is on-site to supervise the installation of the irrigation system.

(3) Completion, maintenance, alteration, repair, or service of irrigation systems shall comply with the landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Chapter 344, Subchapter A, § 344.1, Subchapter C, §§ 344.30—344.38, Subchapter D, §§ 344.40—344.43 and Subchapters E and F, §§ 344.50—344.65 Texas Administrative Code (effective January 1, 2009), as the same may be from time to time amended.

(i) In addition to the requirements under 30 TAC Chapter 344, all new landscape irrigation systems must be designed, installed and operated in accordance with the following requirements:

(1) A separate metered water service must be utilized for the landscape irrigation system.

(2) Above-ground emission devices must be attached to lateral lines with flexible pipe or swing joints.

(3) Use of shrub risers is prohibited. Surface or subsurface drip irrigation, or low-angle spray heads that direct water to the base of the plant may be used in lieu of shrub risers.

(4) Irrigation controllers must be capable of providing multiple irrigation programs, with at least three start times per program.

(5) Irrigation controllers must be capable of limiting irrigation frequency to once every seven days and once every 14 days as per drought restrictions.

(6) Irrigation controllers must have a water budgeting feature.

(7) Landscape irrigation systems must have a master valve.

(8) Zone valves must be equipped with an adjustable flow control.

(9) Zone valves must be enclosed in an accessible valve box.

(10) Check valves are required where elevation differences may result in low-head drainage. Check valves may be located at the sprinkler head(s) or on the lateral line.

(j) All new ICI and multi-family residential landscape irrigation systems must also be designed, installed and operated in accordance with the following requirements:

(1) Landscape irrigation systems must be equipped with a flow sensor that will automatically shut down the irrigation system during excessive water flows.

(2) Landscape irrigation systems must be equipped with a freeze sensor that will automatically shut down the irrigation system when ambient temperatures fall below 32 degrees F.

(3) An irrigation system evaluation must be conducted at least once per year, and the results of the evaluation shall be provided to the director.

(k) All existing landscape irrigation systems must be retrofitted with a rain shutoff device or soil moisture shutoff device.

(l) Existing ICI and multi-family residential landscape irrigation systems must have an irrigation system evaluation conducted at least once per year, and the results of the evaluation shall be provided to the director.

*(m) Reclaimed water.* Reclaimed water may be utilized in landscape irrigation systems if:

(1) There is no direct contact with edible crops, unless the crop is pasteurized before consumption;

(2) The irrigation system does not spray water across property lines that do not belong to the irrigation system's owner;

(3) The irrigation system is installed using purple components;

(4) The domestic potable water line is connected using an air gap or a reduced pressure principle backflow prevention device, in accordance with Title 30, Texas Administrative Code, Section 290.47(i) (relating to Appendices);

(5) A minimum of an eight-inch by eight-inch sign, in English and Spanish, is prominently posted on/in the area that is being irrigated, that reads, "RECLAIMED WATER — DO NOT DRINK" and "AGUA DE RECUPERACION NO BEBER"; and

(6) Backflow prevention on the reclaimed water supply line shall be in accordance with the regulations of the city's water provider.

*(n) Items not covered by this article.* Any item not covered by this article and required by law shall be governed by the Texas Occupations Code, the Texas Water Code, Title 30 of the Texas Administrative Code, City of San Marcos Plumbing Code and any other applicable state statute or Texas Commission on Environmental Quality rule.

*(o) Enforcement.*

(1) The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person, firm, corporation or agent who shall violate a provision of this Code, or fails to comply therewith, or with any of the requirements thereof, is subject to suit for injunctive relief as well as prosecution for criminal violations. Any knowing violation of the elements of this [article] as codified in the San Marcos Code is declared to be a nuisance.

(2) The city water purveyor can suspend utility service for any violation of this article.

(3) Any person who knowingly violates any provision of this section shall, upon conviction, be fined a sum as provided in chapter 1, subsection 1.015(a) of the San Marcos Code.

(4) An offense under this section is a class C misdemeanor.

(5) Nothing in this section shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this section, or any other building code violation, and to seek remedies as allowed by law, including, but not limited to the following:

a. Injunctive relief to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and

b. Other available relief.

(6) Whenever a corporation or association violates any provision of this section, the president, vice-president, secretary, treasurer, manager or any agent or employee of the corporation or association who is responsible for the violation shall be subject to the penalty prescribed for the violation.

*(p) Fees.* The city council, by separate ordinance, may create a schedule of fees for obtaining and renewing an irrigation permit. These fees will be in amounts sufficient to cover the city's costs in issuing and renewing the permits, including, but not limited to, staff time and other costs.

( Ord. No. 2023-09 , § 1(Exh. A), 2-7-23)

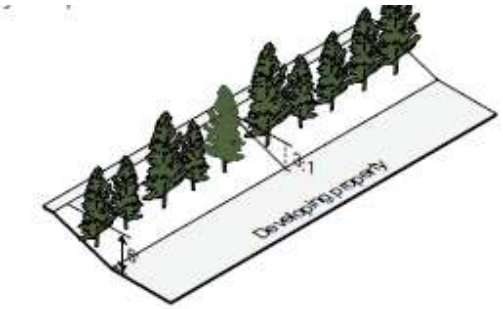
**C. Encroachments**

1. The parking of vehicles and the placement of buildings or structures except for walls, fences, and landscaping is not allowed in a required protective yard.

2. Low impact development and other similar stormwater management features are permitted in a required protective yard.

**D. Grade Change.** In lieu of a required wall or fence, a natural or man-made grade separation of a least 6 feet in elevation may be provided.

FIGURE 7.16 GRADE CHANGES IN PROTECTIVE YARDS




1. The developing property must be located at an elevation lower than the property to be screened.

2. The stabilized side slopes of the grade change may be no greater than 3:1.

**E. Alternative Compliance.** The Planning and Zoning commission in accordance with Section 2.8.4.1 may modify the protective yard requirements. The Planning and Zoning Commission must consider the following criteria in determining the appropriateness of alternative compliance:

1. The approved alternate meets the intent of the protective yard regulations;

2. For topographic reasons, a fence or wall or other required screening device will not screen activities from an abutting property as required by this Division;.

3. The approved alternate conforms with the Comprehensive Plan and adopted City plans; and

4. The existing topography or vegetation achieve the purpose and intent of this Division.

## DIVISION 3: INTERIOR LOT LANDSCAPING

### Section 7.2.3.1 Required Landscape Area

**A. Applicability.** Required landscape area applies to special districts and legacy districts as identified in Section 4.1.2.7 and Section 4.1.2.8.

**B. Landscape Area.** Landscape area shall mean the area (greater than one foot in width) within the boundary of a lot or parcel that is comprised of pervious surface integrated with living plant material, including but not limited to trees, shrubs, flowers, grass, or other ground cover or native vegetation. For the purposes of meeting the requirements of this Article, undeveloped portions of the site cannot be considered landscaped area.

**C. Establishment of Minimum Percentages.** A minimum percentage of the total lot area shall be devoted to landscape in accordance with the following schedule.

TABLE 7.9 REQUIRED LANDSCAPING

| LAND USE | LANDSCAPE AREA |
|---|---|
| Townhouses | 20% |
| Small Multi-Family | 20% |
| Multi-Family | 20% |
| Courtyard Housing | 20% |
| Purpose-Built Student Housing | 20% |
| Office and Professional Uses | 15% |
| Retail and Commercial | 10% |
| Industrial or Manufacturing | 10% |

1. Plantings shall consist of a minimum of one tree and three five-gallon shrubs for every 1,000 square feet of the required minimum landscaping area to be planted or retained internal to the project.

2. Landscaping and vegetation installed as part of any of the following requirements may be counted towards the landscaping requirements:

   a. Stormwater management feature;

**b.** Streetscape requirement; or

**c.** Protective yard.

### Section 7.2.3.2 Minimum Landscaping for Single-Family and Duplex Lots.

**A. Applicability.** Minimum landscaping requirements for single family and duplex lots apply to the following building types:

1. House;
2. Cottage;
3. Zero Lot Line House;
4. Duplex; and
5. Cottage Court (may be placed in the shared courtyard area)

**B. Minimum Standards.** Landscaping on single family and duplex lots may be planted on the property, in the streetscape, or a common area associated with the lot. The following landscaping requirements apply per building.

1. Two shade trees that are a minimum of two inches in caliper and six feet in height at the time of planting;
2. Additional landscaping for single-family or duplex units shall be required and shall consist of at least three out of the following four options:
   - **a.** Two understory trees, equal to at least six feet in height at the time of planting;
   - **b.** Four large evergreen shrubs, equal in size to at least a five-gallon container size shrub;
   - **c.** Eight small shrubs, equal in size to at least a three-gallon container size shrub; and
   - **d.** Solid ground cover or lawn.

**C. Xeriscape Options.** Homebuilders and/or developers subdividing lots and/or constructing new single-family residential homes shall offer a xeriscape option in any series of landscaping options offered to prospective home buyers.

**D. Model Homes.** Homebuilders and/or developers who construct one or more model homes for a designated subdivision shall have at least one model home per subdivision landscaped according to a xeriscape design.

## DIVISION 4: INSTALLATION AND MAINTENANCE

### Section 7.2.4.1 Installation

**A.** All landscape materials shall be selected and installed according to:

1. ANSI Z60.1 American Standard for Nursery Stock, most current edition;
2. ANSI A 300 –Standard Practices for Tree, Shrub and other Woody Plant Maintenance, most current edition and parts; and
3. The City of San Marcos preferred plant list.

**B. Shade Trees.** Shade Trees planted for credit under Section 7.2.1.1 or Section 6.4.1.1 must be a native or locally adapted species included on the preferred plant list with an expected mature height of 35 feet or greater and an expected mature crown spread of at least 30 feet or greater unless subject to an overhead power line in which case the mature height may be less.

1. All shade trees planted must have a minimum caliper of 2.5 inches measured at 6 inches from the root collar, with a minimum container size of 45 gallons and be at least 9.5 feet on slower growing trees to a maximum of 16 feet tall at time of planting.

**C. Understory trees**

1. Understory trees planted to meet the landscaping requirements must be a locally adapted species with an expected mature height of at least 8 feet and an expected mature crown spread of at least 8 feet.
2. Single-stem understory trees planted to meet the landscaping requirements must have a minimum caliper of 2 inches measured from the root collar, with a minimum container size of 20 gallons and be at least 6 feet tall at time of planting.
3. Multi-stem understory trees planted to meet the landscaping requirements must be at least 6 feet tall at time of planting with a minimum container size of 20 gallons.

**D. Shrubs, vines and ground cover.** Shrubs must be, at a minimum, a one-gallon container size at the time of planting. Ground cover may include one or a combination of any pervious materials including grass, mulch, stone, and pavers.

**E. Turf grass areas.**

1. Turf grass areas shall be planted in drought-tolerant species normally grown as permanent lawns in the City, including Zoysia, Bermuda, Buffalograss, Habiturf (combination of Buffalograss, Blue Grama, and Curly Mesquite) or other drought-tolerant turf grass varieties as approved by the City in consultation with Texas A&M Agrilife Extension and/or Lady Bird Johnson Wildflower Center.

2. In single-family residential homes, turf grass areas shall be limited to a maximum of 50% of the total provided landscaped area.

3. In all other developments, turf grass areas shall be limited to a maximum of 25% of the total provided landscaped area.

4. Turf grass areas may be sodded, plugged, sprigged or seeded, except that solid sod shall be used in swales, other areas subject to erosion, or as required in a Watershed Protection Plan.

**F. Soils.** New landscaped areas shall be prepared so as to achieve a soil depth of at least 6 inches for turf. A soil depth of 12 to 18 inches should be used for perennials and shrubs, and 18-24 inches for trees. The six-inch soil depth shall consist of at least 25% compost blended with soil.

**G. Architectural planters.** The use of architectural planters may be permitted in fulfillment of landscape requirements.

**H. Xeriscape materials.** Developers and homebuilders are encouraged to plant native, adapted, and non-invasive xeriscape plants and trees in addition to using other materials such as mulch and compost to promote use of water-wise landscaping.

**I. Other**

1. Any approved decorative aggregate or pervious brick pavers shall qualify for landscaping credit if contained in planting areas, but no credit shall be given for concrete or other impervious surfaces.

2. Pursuant to TAC 202.007, property/home owners associations shall not restrict or prohibit landscaping materials that promote water conservation.

**J. Landscape irrigation.**

1. All required landscaping areas shall be capable of being 100% irrigated by one of, or a combination of, the following methods:

   a. A hose attachment within 100 feet of all plant material, provided, however, that a hose attachment within 200 feet of all plant material in non-street yards shall be sufficient;

   b. A rain water catchment system;

   c. An above-ground drip irrigation system such as soaker hoses; or

   d. An automatic underground irrigation system with a separate, dedicated irrigation meter.

2. All irrigation systems shall be designed and sealed in accordance with the Texas Licensed Irrigators Act and shall be professionally installed.

3. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.

**K. Construction Phase.**

1. The permanent vegetation should be installed on the construction site as soon as utilities are in place and final grades are achieved. Final grading and removal of vegetation shall not occur more than 30 days prior to scheduled paving.

2. Landscaping should be mulched to a depth of 2-4" and devoid of weeds and trash. Newly planted trees shall be mulched in a 4 foot radius or 8 foot diameter. The mulch will be kept 6 to 8 inches away from the tree trunk.

**L. Removal of Diseased or Dangerous Trees and Vegetation.**

1. A property owner may be required to treat or remove trees suffering from transmittable diseases or pests or allow

the City to do so, charging the actual cost thereof to the property owner.

2. The Responsible Official may require the removal of a tree or part of a tree or any other vegetation that is within or overhanging a public right-of-way or easement if the tree or vegetation:

   a. Is diseased or infested and in danger of falling;

   b. Is creating a traffic hazard or sight distance hazard for traffic on a public street; or

   c. Is interfering with safe and proper maintenance of the right-of-way or easement.

(This Section was approved by Ord. No. 2021-05 on 3-16-21)

### Section 7.2.4.2 Maintenance

A. The owner of the building, or the manager or agent of the owner, shall be responsible for the maintenance of all landscape areas.

B. The areas shall be maintained so as to present a neat and orderly appearance at all times and shall be kept free of refuse and debris.

C. All planted areas shall be provided with a readily available water supply and watered sufficiently to maintain plant viability.

D. All trees shall be maintained in accordance with the ANSI A300 Pruning Standard and ANSI Z133.1 Safety Standards. It is encouraged that work is completed by a Certified Arborist licensed by the International Society of Arboriculture, bonded, and insured.

E. Maintenance shall include the replacement of all dead plant material needed to meet the requirements of this Article. Should a tree die or be removed for which credit has been obtained pursuant to this Land Development Code, trees sufficient to equal the area credited shall be required. A smaller tree that will have a mature crown similar to the tree removed may be substituted if the planting area or pervious cover provided for the larger tree is retained.

(This Section was approved by Ord. No. 2021-05 on 3-16-21)

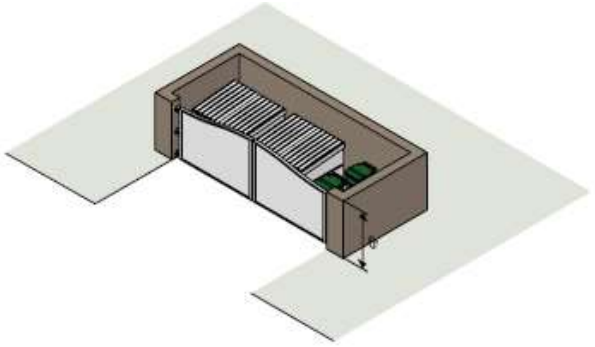
## DIVISION 5: SCREENING

### Section 7.2.5.1 Service Areas

A. Trash and recycling collection and other similar service areas must be located to the side or rear of buildings. Trash and recycling collection areas must be located as far away from residential structures on neighboring properties as practical.

B. Service areas must be screened on 3 sides by a wall that matches the color and material of the building facade and is a minimum 6 feet in height. Service areas must be screened on the 4th side by a solid gate at a minimum of 6 feet in height. The gate is optional when the dumpsters are facing an alley.

FIGURE 7.17 SERVICE AREA SCREENING



C. The gate and wall must be maintained in good working order and must remain closed except when trash pick-ups occur.

### Section 7.2.5.2 Utilities

**A. Roof Mounted Utility Screening**

1. Roof-mounted equipment must be set back at least 10 feet from the edge of the roof and screened from ground level view from abutting property or abutting public street (not including an alley).

2. New buildings must provide a parapet wall or other architectural element that is compatible with the principal building in terms of texture, quality, material and color that fully screens roof mounted equipment from ground level view.

# APPENDIX B:

# SAN MARCOS WATER AND WASTEWATER RATE SCHEDULES

# Water Rates and Fees

## Water Rates

### October 1, 2024 Rate (effective October 1, 2023)

(All water rates are based per 1,000 gallons)

### Inside-City

| Lifeline Rate | October 1, 2021 Rate | **October 1, 2023 Rate** |
|---|---|---|
| First 6,000 gallons to Minimum | 26.82 | 26.82 |
| 6,001 to 9,000 | 7.86 | 7.86 |
| 9,001 to 12,000 | 9.00 | 9.00 |
| 12,001 to 20,000 | 10.12 | 10.12 |
| 20,001 to 50,000 | 11.24 | 11.24 |
| Over 50,000 | 13.48 | 13.48 |
| 5/8 inch to 3/4 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| Minimum Charge | 26.82 | 28.16 |
| 0 to 6,000 | 4.49 | 4.71 |
| 6,001 to 9,000 | 7.86 | 8.25 |
| 9,001 to 12,000 | 9.00 | 9.45 |
| 12,001 to 20,000 | 10.12 | 10.63 |
| 20,001 to 50,000 | 11.24 | 11.80 |
| Over 50,000 | 13.48 | 14.15 |
| 1 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| Minimum Charge | 67.03 | 70.38 |
| 0 - 4,000 | 2.90 | 3.05 |
| 4,001 - 10,000 | 3.49 | 3.66 |
| 10,001 - 25,000 | 8.69 | 9.12 |
| Over 25,000 | 9.85 | 10.34 |
| 1 1/2 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| Minimum Charge | 134.06 | 140.76 |
| 0 to 8,000 | 2.90 | 3.05 |
| 8,001 to 10,000 | 3.49 | 3.66 |
| 10,001 to 25,000 | 8.69 | 9.12 |
| Over 25,000 | 9.85 | 10.34 |
| 2 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| Minimum Charge | 214.49 | 225.21 |
| 0 to 13,000 | 2.90 | 3.05 |
| 13,000 to 25,000 | 8.69 | 9.12 |
| Over 25,000 | 9.85 | 10.34 |

## Outside-City

| Lifeline Rate | October 1, 2021 Rate | **October 1, 2023 Rate** |
|---|---|---|
| First 6,000 gallons to Minimum | 33.53 | 33.53 |
| 6,001 to 9,000 | 9.83 | 9.83 |
| 9,001 to 12,000 | 11.25 | 11.25 |
| 12,001 to 20,000 | 12.65 | 12.65 |
| 20,001 to 50,000 | 14.05 | 14.05 |
| Over 50,000 | 16.85 | 16.85 |
| 5/8 inch to 3/4 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| Minimum Charge | 33.53 | 35.21 |
| 0 to 6,000 | 5.61 | 5.89 |
| 6,001 to 9,000 | 9.83 | 10.32 |
| 9,001 to 12,000 | 11.25 | 11.81 |
| 12,001 to 20,000 | 12.65 | 13.28 |
| 20,001 to 50,000 | 14.05 | 14.75 |
| Over 50,000 | 16.85 | 17.69 |
| 1 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| Minimum Charge | 83.79 | 87.98 |
| 0 to 4,000 | 3.63 | 3.81 |
| 4,001 to 10,000 | 4.36 | 4.58 |
| 10,001 to 25,000 | 10.86 | 11.40 |
| Over 25,000 | 12.31 | 12.93 |
| 1 1/2 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| Minimum Charge | 167.58 | 175.96 |
| 0 to 8,000 | 3.63 | 3.81 |
| 8,001 to 10,000 | 4.36 | 4.58 |
| 10,001 to 25,000 | 10.86 | 11.40 |
| Over 25,000 | 12.31 | 12.93 |
| 2 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| Minimum Charge | 268.11 | 281.52 |
| 0 to 13,000 | 3.63 | 3.81 |
| 13,001 to 25,000 | 10.86 | 11.40 |
| Over 25,000 | 12.31 | 12.93 |

## Wholesale Water

| | October 1, 2021 Rate | **October 1, 2023 Rate** |
|---|---|---|
| Rate per 1,000 gallons | 5.82 | 6.11 |

## Reclaimed Water

| | October 1, 2021 Rate | **October 1, 2023 Rate** |
|---|---|---|
| Minimum Charge | 362.34 | 380.46 |
| Rate per 1,000 gallons | 1.90 | 2.00 |

## Other Water Charges/Fees

| Description | Oct. 1, 2023 Rate (effective Oct 1, 2013) |
|---|---|
| New Account Charge - Normal Hours | 40.00 |
| New Account Charge - After Hours** | 100.00 |
| New Service - Normal Hours | Meter Cost + 50.00 |
| Reconnect Charge - Normal Hours | 40.00 |
| Reconnect Charge - After Hours** | 170.00 |
| Customer Requested Outage/Service - Normal Hours | 50.00 |
| Customer Requested Outage/Service - After Hours** | 100.00 |
| Temporary Water Meter | Deposit - 750.00<br>Installation - 75.00<br>Monthly Rental - 100.00 |
| Meter Test Charge | 35.00 |
| Tampering Fee | 350.00 |
| Water Tap | * |

- Service fees established by City Code 86.198
* Actual construction costs plus 10%. Minimum charge of $250.00
** After Hours is consider 4 p.m. Central Daylight Time

## Other Fees

| Description | Rate |
|---|---|
| NSF Check Charge | 30.00 |

# Wastewater Rates

## Sewer Rates

### October 1, 2024 Rate (effective October 1, 2023)

(All sewer rates are based per 1,000 gallons of metered water consumption)

### Inside-City

| Lifeline Rate | October 1, 2021 Rate | **October 1, 2023 Rate** |
|---|---|---|
| Maximum | 27.88 | 27.88 |
| 5/8 inch - 3/4 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| First 2,000 - Minimum | 27.88 | 29.27 |
| Over 2,000 | 8.03 | 8.43 |
| 1 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| First 4,000 - Minimum | 55.67 | 58.45 |
| Over 4,000 | 8.03 | 8.43 |
| 1 1/2 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| First 8,000 - Minimum | 111.31 | 116.88 |
| Over 8,000 | 8.03 | 8.43 |
| 2 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| First 13,000 - Minimum | 178.14 | 187.05 |
| Over 13,000 | 8.03 | 8.43 |

### Outside-City

| Lifeline Rate | October 1, 2021 Rate | **October 1, 2023 Rate** |
|---|---|---|
| Maximum | 34.85 | 34.85 |
| 5/8 inch - 3/4 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| First 2,000 - Minimum | 34.85 | 36.59 |
| Over 2,000 | 10.04 | 10.54 |
| 1 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| First 4,000 - Minimum | 69.59 | 73.07 |
| Over 4,000 | 10.04 | 10.54 |
| 1 1/2 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| First 8,000 - Minimum | 139.14 | 146.10 |
| Over 8,000 | 10.04 | 10.54 |
| 2 inch Water Meter | October 1, 2021 Rate | **October 1, 2023 Rate** |
| First 13,000 - Minimum | 222.68 | 233.81 |
| Over 13,000 | 10.04 | 10.54 |

Residential Sewer Rates for 5/8-3/4", 1", 1 1/2" water meters are based on the average water consumption for the bills dated the previous December, January and February. Accounts that do not have water usage history for December, January or February are set at 5,000 gallons.

No additional charge is applied to Single-Family residential customers for wastewater volumes in excess of 9,000 gallons for 5/8-3/4", 1", 1 1/2" water meters.

## Sewer Surcharge Rate

| COD Concentration (milligram per Liter) | October 1, 2021 Rate (per pound) | **October 1, 2023 Rate (per pound)** |
|---|---|---|
| 351 to 500 | $0.110 | $0.116 |
| 501 to 600 | $0.180 | $0.189 |
| Over 600 | $0.370 | $0.389 |

## Other Sewer Charges

| Description | **Oct. 1, 2023 Rate** |
|---|---|
| Sewer Tap Charge | * |

*Actual construction costs plus 10%. Minimum charge of $250.00

## Other Fees

| Description | **Rate** |
|---|---|
| NSF Check Charge | 30.00 |

# APPENDIX C:

# MAP OF SAN MARCOS WATER SERVICE AREA

# APPENDIX D:

# SAN MARCOS UTILITY SURVEY

# APPENDIX E:

# RESOLUTION OF ADOPTION OF WATER CONSERVATION AND DROUGHT RESPONSE PLANS

**RESOLUTION NO. 2024-___R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING THE SUBMITTAL OF THE 2024 REVISED WATER CONSERVATION PLAN AND REVISED 2024 DROUGHT RESPONSE PLAN TO THE TEXAS WATER DEVELOPMENT BOARD; AND DECLARING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**PART 1.** The attached 2024 Water Conservation Plan and the 2019 Drought Response Plan are hereby approved for submittal to the Texas Water Development Board.

**PART 2.** The Resolution shall be in full force and effect immediately from and after its passage.

**ADOPTED** on April 16, 2024.

Jane Hughson

Mayor

Attest:

Elizabeth Trevino

City Clerk