



City of Highland Haven
510 Highland Drive, Suite A
Highland Haven TX 78654-8269
Phone: 830-265-4366 Fax: 512-366-9721

AGENDA – PLANNING & ZONING COMMISSION MEETING

DATE: September 12, 2024

TIME: 6:00 PM

PLACE: Highland Haven Community Center

1. Open meeting and Roll Call to Establish Quorum

Linda Enderlin	Chair	☐ Present	☐ Absent
Marvin Filla	Vice-Chair	☐ Present	☐ Absent
Debbie Dahlstrom	Secretary	☐ Present	☐ Absent
Connie Smith	Member	☐ Present	☐ Absent
Jackie Garrow	Member	☐ Present	☐ Absent

2. Pledge of Allegiance

3. Recognize visitors.

4. Public Comment

(At this time, any person with business before the P&Z Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

ACTION ITEMS

5. Consider Minutes from July 11, 2024, P&Z Meeting.

DISCUSSION ITEMS.

6. eCode 360 Demonstration – Webinar training.

7. Discussion – Drought Contingency Plan

8. Discussion – Commercial Zoning

9. Discussion – Comprehensive Plan

INFORMATION ITEMS

10. P&Z Commission Member Comments.

11. Next Regular Meeting date October 10, 2024, 6pm Highland Haven Community Center.

12. Items to be considered for the next agenda must be received by the Chair on or before October 1, 2024.

13. Adjournment.

Agenda Posted on September 5, 2024.

CERTIFICATION OF POSTING

I, LEZLEY BAUM, CERTIFY THAT THE FOREGOING AGENDA HAS BEEN POSTED AT HIGHLAND HAVEN CITY HALL, 510 HIGHLAND DRIVE, SUITE A; HIGHLAND HAVEN, TX, ON THE INDOOR AND OUTDOOR NOTICE BOARDS OF CITY HALL, WHICH ARE CONVENIENTLY ACCESSIBLE TO THE PUBLIC AT ALL TIMES, AND THE CITY WEBSITE AT WWW.HIGHLANDHAVENTX.COM ON THE 5th DAY OF SEPTEMBER 2024 AND REMAINED SO POSTED FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.



Lezley Baum

 Lezley Baum, City Secretary



City of Highland Haven
510 Highland Drive, Suite A
Highland Haven TX 78654-8269
Phone: 830-265-4366 Fax: 512-366-9721

MINUTES – PLANNING & ZONING COMMISSION MEETING

DATE: July 11, 2024

TIME: 6:00 PM

PLACE: Highland Haven Community Center

1. Open meeting and Roll Call to Establish Quorum

Marvin Filla	✓Present	☐ Absent
Linda Enderlin	✓Present	☐ Absent
Connie Smith	✓Present	☐ Absent
Jackie Garrow	✓Present	☐ Absent
Debbie Dahlstrom	✓Present	☐ Absent

2. Pledge of Allegiance

Marvin Filla led in the Pledge of Allegiance.

3. Recognize visitors – **Bruce Robertson**

4. Public Comment

(At this time, any person with business before the P&Z Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

ACTION ITEMS

5. Consider Minutes from June 25, 2024, P&Z Special Meeting.

Motion to approve minutes made by Linda Enderlin, seconded by Debbie Dahlstrom.

Vote 4-0 Marvin Filla abstained

6. Discussion with Possible Action – Recommendations for P&Z Chairperson

Linda Enderlin volunteered to be the P&Z Chairperson. Motion to appoint Linda Enderlin as Chairperson made by Debbie Dahlstrom, seconded by Connie Smith.

Vote 5-0

7. Discussion with Possible Action – Appointment - P&Z Vice-Chairperson

Marvin Filla volunteered to be Vice-Chairperson. Motion to appoint Marvin Filla as P&Z Vice-Chairperson made by Debbie Dahlstrom, seconded by Linda Enderlin.

Vote 5-0

8. Discussion with Possible Action – Appointment - P&Z Secretary

Debbie Dahlstrom volunteered to be P&Z Secretary. Motion to appoint Debbie Dahlstrom as P&Z Secretary made by Linda Enderlin, seconded by Marvin Filla.

Vote 5-0

DISCUSSION ITEMS.

9. Discussion – Commercial Zoning

10. Discussion – Comprehensive Plan

11. Discussion - Water Storage Tank updates.

INFORMATION ITEMS

12. P&Z Commission Member Comments.

13. Next Regular Meeting date August 8, 2024, 6pm Highland Haven Community Center.

14. Items to be considered for the next agenda must be received by the Chair on or before August 1, 2024.

15. Adjournment.

Motion to adjourn made by Linda Enderlin, seconded by Connie Smith.

Vote 5-0

[HOME](#)

Meeting adjourned at 6:12 pm.

Linda Enderlin, Chair

Lezley Baum, City Secretary





City of Highland Haven

Drought Contingency Plan

Name:	<u>City of Highland Haven</u>	
Address:	<u>510 Highland Drive Suite A</u>	
Telephone Number:	<u>(830) 265-4366</u>	<u>Fax: (512) 366-9721</u>
Public Water Supply System ID	<u>TX0270099</u>	
Regional Water Planning Group:	<u>K</u>	
Form Completed by:	<u>Olan Kelley</u>	
Title:	<u>Mayor</u>	
Person responsible for implementation:	<u>Mayor</u>	<u>Phone: (830) 265-4366</u>
Signature:	<u>Date:09/17/24</u>	

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Highland Haven hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other

emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Highland Haven by providing opportunities for input at the regular scheduled Board of Alderman meeting on September 17, 2024.

Section III: Public Education

The City of Highland Haven will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of email, direct mail, and utility bill inserts.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Highland Haven is located within the Lower Colorado Regional Water Planning Group Region K and the City of Highland Haven has provided a copy of this Plan to the Lower Colorado Regional Water Planning Group Region K. Retail public water suppliers with **less than 3,300 connections must prepare and adopt** an updated drought contingency plan and make the plan available for inspection by Texas Commission on Environmental Quality (TCEQ), but they are **not required to submit plans to TCEQ.**

Section V: Authorization

The Mayor, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Mayor, or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

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

Section VII: Definitions

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

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

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

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

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

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the

protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi- type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting.

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

Storage Tanks: tanks used to store well water from wells managed by the city. The city currently operates two storage tanks (Tank 1 and Tank 2), each rated for 100,000-gallon capacity.

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

The Mayor or his/her designee shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on known system capacity limits, as well as the drought stage mandates initiated by Central Texas Groundwater Conservation District. Including but not limited to well pumping capacity, static water level in the CTGCD Well #3286, aka Main Well or Well #1), water level in (either or both?) Water Storage Tank #1 and/or Tank #2 as applicable.

The City of Highland Haven has adopted and follows the LCRA Domestic Water Use, Outdoor Watering Schedule which will apply to all forms of water sources including city water, private water wells, lake water and water harvesting systems.

Utilization of alternative water sources and/or alternative delivery mechanisms:

Alternative water sources for City of Highland Haven are:

- CTGCD Well #3588 (aka Backup or Well #2)
- CTGCD Well #3589 (aka Johnson East or Well #5)
- CTGCD Well #3590 (aka Johnson West or Well #6).

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when one or more of the following triggers occur.

- When water production from the City of Highland Haven Main Well and alternative water sources is equal to 50 % of our maximum daily system production of 200,000 gallons. (Highland Haven highest daily production was 216,000 gallons on February 18, 2021, and 202,000 gallons on August 8, 2022.)
-
- When the static aquifer water level in the City of Highland Haven Main Well is equal to or greater than 34 feet below the surface of the ground for three (3) consecutive days. The annual average is 28'.
- When the filled capacity of the City of Highland Haven Storage Tanks are equal to or less than 95 percent of the total capacity. 95% is equal to approx. 19 feet on the tank altimeter gauge. Full is 20.4 feet.
- When continually falling, the filled capacity of Storage Tanks does not refill above 95% overnight.
- When Central Texas Groundwater Conservation District (CTGCD) initiates Stage 1 Drought Status.
- When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 60% of the allowable maximum annual water licensed by the CTGCD.

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days (unless otherwise rescinded by the Mayor or his/her designee and when CTGWD rescinds mandated restrictions.

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non- essential water uses provided in Section IX of this Plan when one or more of the following triggers occur.

- When water production is equal to 50 % of maximum daily system production of 200,000 gallons.
-
- When the static aquifer water level in the City of Highland Haven Main Well is equal to or greater than 35 feet below the surface of the ground for three (3) consecutive days.
- When the filled capacity of the City of Highland Haven Storage Tanks are equal to or less than 95 percent of the total tank capacity.
- When continually falling, the filled capacity of Storage Tanks does not refill above 95% overnight.
- When Central Texas Groundwater Conservation District (CTGCD) initiates Stage 2 Drought Status.

- **When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 70% of the allowable maximum annual water licensed by the CTGCD.**

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days (unless otherwise rescinded by the Mayor or his/her designee and when CTGWD rescinds mandated restrictions.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non- essential water uses for Stage 3 of this Plan when one or more of the following triggers occur.

- **When water production is equal to 55 % of maximum daily system production, 200,000 gallons.**
- **When the static aquifer water level in the City of Highland Haven Main Well is equal to or greater than 37 feet below the surface of the ground for three (3) consecutive days.**
- **When the capacity of the City of Highland Haven Storage Tanks are equal to or less than 90 percent of the total tank capacity.**
- **When continually falling, the filled capacity of Storage Tanks does not refill above 90% overnight.**
- **When Central Texas Groundwater Conservation District (CTGCD) initiates Stage 3 Drought Status**
- **When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 80% of the allowable maximum annual water licensed by the CTGCD.**

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days (unless otherwise rescinded by the Mayor or his/her designee and when CTGWD rescinds mandated restrictions.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non- essential water uses for Stage 4 of this Plan when one or more of the following triggers occur.

- **When water production is equal to 75% of maximum daily system production, 200,000 gallons.**
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- **When the static aquifer water level in the City of Highland Haven (name of your water supplier) Main Well is equal to or greater than 38 feet below the surface of the ground for three (3) consecutive days.**
- **When the filled capacity of the City of Highland Haven (name of your water supplier) Storage Tanks are equal to or less than 75 percent of the total tank capacity.**
- **When continually falling, the filled capacity of Storage Tanks does not refill above 70% overnight (example: based on an evaluation of minimum treated water storage required to avoid system outage).**
- **When Central Texas Groundwater Conservation District (CTGCD) initiates Stage 4 Drought Status**
- **When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 90% of the allowable maximum annual water licensed by the CTGCD.**

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days (unless otherwise rescinded by the Mayor or his/her designee and when CTGWD rescinds mandated restrictions.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the Mayor, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; **or**
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist and required tests confirm water is safe to drink.

Stage 6 Triggers – WATER ALLOCATION

Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when one or more of the following triggers occur,

- **When water supply is at or below 180 days.**
- **When water production is equal to 100% of maximum daily system production of 200,000 gallons.**
- **When the static aquifer water level in the City of Highland Haven Main Well**

is equal to or greater than 50 feet below the surface of the ground for three (3) consecutive days.

- When the specific filled capacity of the City of Highland Haven Storage Tanks is equal to or less than 70 percent of the tank capacity.
- When continually falling Storage Tank do not refill above 70 percent overnight (example: based on an evaluation of minimum treated water storage required to avoid system outage).
- When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 95% of the allowable maximum annual water licensed by the CTGCD.)

Requirements for termination

Water allocation may be rescinded when all the applicable conditions listed as triggering events have ceased to exist for a period of seven (7)

Section IX: Drought Response Stages

The Mayor, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

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

- Email
- Direct mail
- Signs posted in public places

Additional Notification:

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

- Water customers
- Board of Alderman
- Planning and Zoning Commission
- Highland Haven Property Owners Association
- Shady Acres Property Owners Association
- Camp Champions management
- Granite Shoals Fire Department
- Burnet County Pct.1 County Commissioner
- Central Texas Groundwater Conservation District
- Texas Commission on Environmental Quality (TCEQ), when required.

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary five (5) % reduction in the daily water usage.

Best Management Practices for Supply Management:

- The City of Highland Haven will search for leaks on system lines and discontinue flushing of water mains.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Thursdays and Sundays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Wednesdays and Saturdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- (b) All operations of the City of Highland Haven shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a ten (10) % reduction in the daily water usage.

Best Management Practices for Supply Management:

- The City of Highland Haven will search for leaks on system lines and discontinue flushing of water mains.

Water Use Restrictions for Demand Reduction:

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

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.

- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Highland Haven.
- (f) Use of water for the irrigation of public landscape areas is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
 - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a fifteen (15) % reduction from in the daily water usage.

Best Management Practices for Supply Management:

- The City of Highland Haven will search for leaks on system lines and discontinue flushing of water mains.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of public landscape areas and public recreational areas is prohibited unless a water source other than that provided by the City of Highland Haven is used.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 Response – CRITICAL Water Shortage Conditions

Target: Achieve a twenty (20) % reduction in the daily water usage.

Best Management Practices for Supply Management:

- The City of Highland Haven will search for leaks on system lines and discontinue flushing of water mains.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water from city water system to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system. Use of city water system water to refill such is prohibited.
- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a reduction in daily water demand sufficient to allow the City of Highland Haven to supply water with the capabilities of the system during the emergency event.

Best Management Practices for Supply Management:

- The City of Highland Haven will immediately identify the cause of the loss of the capability to provide water service and implement corrective actions.

Water Use Restrictions for Reducing Demand:

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

- (a) Irrigation of landscaped areas is **absolutely prohibited**.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is **absolutely prohibited**.

Stage 6 Response – WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety, and welfare, the Mayor or his/her designee is hereby authorized to allocate water according to the following water allocation plan:

Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 or 2	3,000
3 or 4	4,000
5 or 6	5,000
7 or 8	6,000
9 or 10	7,000
11 or more	8,000

“Household” means the residential premises served by the customer’s meter. “Persons per household” includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer’s household is comprised of two (2) persons unless the customer notifies the City of Highland Haven of a greater number of persons per household on a form prescribed by the Mayor or his/her designee. The Mayor or his/her designee shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the City of Highland Haven offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the Mayor or his/her designee. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the City of Highland Haven on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the City of Highland Haven in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Mayor or his/her designee shall adopt methods to insure the accuracy of the claim. **Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the City of Highland Haven of a reduction in the number of persons in a household shall be fined not less than \$50.00.**

Residential water customers shall pay the following surcharges:

\$2.50 for the first 1,000 gallons over allocation.

\$5.00 for the second 1,000 gallons over allocation.

\$7.50 for the third 1,000 gallons over allocation.

\$10.00 for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Highland Haven for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Mayor, or his/her designee, in accordance with provisions of this Plan.
- (b) **Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than two hundred dollars (\$200.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense.** If a person is convicted of three or more distinct violations of this Plan, the Mayor, or his/her designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of established disconnect and re-connection charges, and any other costs incurred by the City of Highland Haven in discontinuing service. In addition, suitable assurance must be given to the Mayor, or his/her designee that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the City of Highland Haven, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) **Any employee of the City of Highland Haven, police officer, or designated city official or employee designated by the Mayor, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance.** The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the City of Highland Haven Municipal Court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in City of Highland Haven Municipal Court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in City of Highland

Haven Municipal Court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in City of Highland Haven Municipal Court before all other cases.

Section XI: Variances

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

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

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

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

Variances granted by the City of Highland Haven shall be subject to the following conditions, unless waived or modified by the Board of Alderman.

- Variances granted shall include a timetable for compliance.
- Variances granted shall expire when the plan is no longer in effect unless the petitioner has failed to meet specific requirements.

No variance shall be retroactive or otherwise justify any violation of this plan occurring prior to issuance