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CITY OF KENNEDALE
405 MUNICIPAL DRIVE
KENNE DALE, TEXAS 76060
PWS #2200017

CITY OF KENNEDALE, TX WATER CONSERVATION PLAN

SUBMITTED FEBRUARY 2020

ADOPTED: JANUARY 21, 2020

EFFECTIVE: JANUARY 21, 2020

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SECTION 1 INTRODUCTION AND OBJECTIVE

One of the key directives of a municipality is to manage the available water resources so that sufficient water will be available for current and future generations. Increasing population and periodic droughts have highlighted the importance of the efficient use of our water supplies. The City of Kennedale has developed this Water Conservation Plan (the “Plan”) in accordance with Texas Commission on Environmental Quality (TCEQ) guidelines and requirements. Numerous water conservation programs were reviewed to ensure that the Plan is consistent with others in the North Texas area. The Texas Water Development Board (TWDB) template, guidelines, and best management practices (BMP) were all utilized in the creation of this Plan.

OBJECTIVES OF THIS WATER CONSERVATION PLAN

- Reduce water consumption from the levels that would prevail without conservation efforts
- Reduce the loss and waste of water
- Improve efficiency in the use of water
- Encourage efficient outdoor water use
- Extend the life of current water supplies by reducing the rate of growth in demand

SECTION 2 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

TCEQ rules governing development of Water Conservation Plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code (Appendix B). For the purpose of these rules, a Water Conservation Plan is “a strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water.” The elements in the TCEQ water conservation rules covered in this Plan are listed below.

MINIMUM CONSERVATION PLAN REQUIREMENTS

Minimum requirements in the Texas Administrative Code for Water Conservation Plans for Public Water Suppliers are covered in this report as follows:

- 288.2(A)(1)(A) UTILITY PROFILE: [SECTION 3 AND APPENDIX C](#)
- 288.2(A)(1)(B) RECORD MANAGEMENT SYSTEM: [SECTION 4](#)
- 288.2(A)(1)(C) SPECIFIC, QUANTIFIED GOALS: [SECTION 5](#)
- 288.2(A)(1)(D) ACCURATE METERING: [SECTION 6](#)
- 288.2(A)(1)(E) UNIVERSAL METERING: [SECTION 6](#)
- 288.2(A)(1)(F) DETERMINATION AND CONTROL OF WATER LOSS: [SECTION 7](#)
- 288.2(A)(1)(G) PUBLIC EDUCATION AND INFORMATION PROGRAM: [SECTION 7](#)
- 288.2(A)(1)(H) NON-PROMOTIONAL WATER RATE STRUCTURE: [SECTION 4](#)
- 288.2(A)(1)(I) RESERVOIR SYSTEM OPERATION PLAN: [NOT APPLICABLE](#)
- 288.2(A)(1)(J) MEANS OF IMPLEMENTATION AND ENFORCEMENT: [APPENDIX G \(ORDINANCE NO. 689\)](#)
- 288.2(A)(1)(K) COORDINATION WITH REGIONAL WATER PLANNING GROUPS: [SECTION 1](#)
- 288.2(C) REVIEW AND UPDATE OF PLAN: [SECTION 8](#)

ADDITIONAL REQUIREMENTS (POPULATION OVER 5,000)

The Texas Administrative Code includes additional requirements for water conservation plans for drinking water supplies serving a population over 5,000:

- 288.2(A)(2)(A) LEAK DETECTION, REPAIR, AND WATER LOSS ACCOUNTING: [SECTION 7](#)

SECTION 3 WATER UTILITY PROFILE

The City of Kennedale currently provides retail water and wastewater collection services to approximately 7,000 customers. The majority of the wastewater collected travels through the City of Arlington system to the Trinity River Authority (TRA) wastewater treatment plant in Dallas, Texas. A small portion of the wastewater collected in northwest Kennedale is sent to the Fort Worth wastewater treatment plant. The City of Kennedale owns six (6) groundwater wells (five (5) of which are operable) and also purchases treated water from the City of Fort Worth. Appendix C contains Kennedale’s water utility profile based on the format developed by TWDB.

SECTION 4 RECORD MANAGEMENT SYSTEM AND WATER RATE STRUCTURE

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(1)(B), the record management system for the City of Kennedale records water pumped, water delivered, and water sold; estimates water losses; and allows for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information is included in all annual reports required by the TWDB and TCEQ.

The City of Kennedale has conservation-oriented water rate structures in place. Each customer is first charged a flat rate based on meter size (Table 4-1). Usage (or volume) charges are assessed according to an increasing block rate structure, aimed at encouraging conservation. The rates shown (Table 4-1) were effective as of September 17, 2018, and are subject to change as the City continues to refine its rate structures to improve the impact on water conservation and effectively manage the cost of service.

TABLE 4-1: CITY OF KENNEDALE WATER RATE STRUCTURE

WWW.CITYOFKENNEDEALE.COM/WATERRATES

CITY OF KENNEDALE WATER RATES					
FOR SERVICE WITHIN CITY LIMITS					
METER SIZE	BASE RATE CHARGE (PER METER)				
	RESIDENTIAL	SENIOR/DISABLED*	COMMERCIAL	INDUSTRIAL	MULTIPLE RES/COMM
¾"	\$20.00	\$20.00	\$26.00	\$26.00	\$26.00 per unit
1"	\$43.34	\$43.34	\$43.34	\$43.34	\$26.00 per unit
1½"	\$86.58	\$86.58	\$86.58	\$86.58	\$26.00 per unit
2"	\$138.58	\$138.58	\$138.58	\$138.58	\$26.00 per unit
3"	\$260.00	\$260.00	\$260.00	\$260.00	\$26.00 per unit
4"	\$433.42	\$433.42	\$433.42	\$433.42	\$26.00 per unit
VOLUME (USAGE) IN GALLONS	VOLUME (USAGE) RATES PER 1,000 GALLONS				
	RESIDENTIAL	SENIOR/DISABLED	COMMERCIAL	INDUSTRIAL	MULTIPLE RES/COMM**
0-5,000	\$2.75	\$2.75	\$2.75	\$2.75	N/A
5,001-20,000	\$5.36	\$5.36	\$5.36	\$5.36	N/A
20,001-50,000	\$6.70	\$6.70	\$6.70	\$6.70	N/A
50,001+	\$6.70	\$6.70	\$8.38	\$8.38	N/A
FOR SERVICE OUTSIDE CITY LIMITS					
METER SIZE	BASE RATE CHARGE (PER METER)				
	RESIDENTIAL	SENIOR/DISABLED*	COMMERCIAL	INDUSTRIAL	MULTIPLE RES/COMM
¾"	\$39.00	N/A	\$39.00	\$39.00	\$39.00 Per Unit
1"	\$97.50	N/A	\$97.50	\$97.50	\$39.00 Per Unit
1½"	\$195.00	N/A	\$195.00	\$195.00	\$39.00 Per Unit
2"	\$312.00	N/A	\$312.00	\$312.00	\$39.00 Per Unit
3"	\$624.00	N/A	\$624.00	\$624.00	\$39.00 Per Unit
4"	\$975.00	N/A	\$975.00	\$975.00	\$39.00 Per Unit
VOLUME (USAGE) IN GALLONS	VOLUME (USAGE) RATES PER 1,000 GALLONS				
	RESIDENTIAL	SENIOR/DISABLED	COMMERCIAL	INDUSTRIAL	MULTIPLE RES/COMM**
0-5,000	\$2.75	\$2.75	\$2.85	\$2.85	N/A
5,001-20,000	\$5.36	\$5.36	\$5.30	\$5.30	N/A
20,001-50,000	\$6.70	\$6.70	\$6.70	\$6.70	N/A
50,001+	\$8.38	\$8.38	\$8.38	\$8.38	N/A
FOR GAS WELL DRILLING					
METER SIZE	BASE RATE CHARGE (PER METER)				
	RESIDENTIAL	SENIOR/DISABLED	COMMERCIAL	INDUSTRIAL	MULTIPLE RES/COMM
2"	\$249.16	N/A	\$249.16	\$249.16	N/A
3"	\$545.58	N/A	\$545.58	\$545.58	N/A
4"	\$981.82	N/A	\$981.82	\$981.82	N/A
VOLUME (USAGE) IN GALLONS	VOLUME (USAGE) RATES PER 1,000 GALLONS				
	RESIDENTIAL	SENIOR/DISABLED	COMMERCIAL	INDUSTRIAL	MULTIPLE RES/COMM
0-5,000	\$7.24	N/A	\$7.24	\$7.24	N/A
5,001+	\$7.24	N/A	\$7.24	\$7.24	N/A

*For senior/disabled rate, a credit of \$7.50 per month/billing cycle will apply towards the applicable meter size for water service.

**For multiple residential units on a single meter, the volume charge shall be calculated on a per unit basis by dividing the total volume of water used by the number of residential units.

*Senior/disabled credit does not apply to service outside the city limits.

**For multiple residential units on a single meter, the volume charge shall be calculated on a per unit basis by dividing the total volume of water used by the number of residential units.

SECTION 5 SPECIFICATION OF WATER CONSERVATION GOALS

In keeping with TCEQ requirements, the specific water conservation goals for this Plan include the following:

- Maintain the 5-year moving average total per capita water use below specified amount (Table 5-1).
- Continue a program of universal metering and meter replacement and repair (Section 6.2).
- Continue to maintain a program for pressure reduction in the distribution system.
- Raise public awareness of water conservation and encourage responsible public behavior by a public education and information program (Section 7.2).
- Maintain and continue developing the landscape water management program to increase efficient water usage and decrease waste in lawn irrigation (Section 7.5).

TABLE 5-1: FIVE- AND TEN-YEAR WATER CONSERVATION GOALS

DESCRIPTION	HISTORIC 5-YEAR AVERAGE	2025	2030
Total GPCD ^a	137	128	122
Residential GPCD ^b	100	93	88

a. Total GPCD = (Total Gallons in System ÷ Population) ÷ 365

b. Residential GPCD = (Gallons Used for Residential Use ÷ Population) ÷ 365

SECTION 6 METERING

One of the key elements in water conservation is careful tracking of water use and control of losses.

6.1 ACCURATE SOURCE WATER METERING

- Water delivery from each of the five (5) operational groundwater wells is individually metered by the City of Kennedale using meters with accuracy of at least ±5%. These meters are calibrated every three (3) years and the accuracy of each is checked at least annually. Meters are replaced when they are reading more than ±5% off.
- Water delivery from the City of Fort Worth is metered by Fort Worth using a meter with accuracy of at least ±5%. Fort Worth can access the meter at all reasonable times; and the meter is calibrated at least annually to maintain the required accuracy.

6.2 UNIVERSAL METERING

- The City of Kennedale meters all connections within the distribution system.
- In 2013, all meters in the City of Kennedale were replaced with highly accurate smart meters with an accuracy of ±2%.
- All meters will be maintained within acceptable operating accuracy range as defined by the manufacturer. Malfunctioning or inaccurate meters will be checked and replaced if found to be outside of manufacturer specifications.

SECTION 7 OTHER CONSERVATION MEASURES

7.1 Determination and Control of Water Loss

TABLE 7-1: WATER LOSS GOALS (2020)

DESCRIPTION	UNITS	2018	2025	2030
Water Loss GPCD ^a	GPCD	21	20	19
Water Loss Percentage ^b	%	13%	12%	11%

a. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

b. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

7.2 Public Education and Information Program

- The billing system (implemented in 2013) allows customers to pay online as well as access a wealth of conservation information. They can monitor their use, compare their consumption to neighbors, and read about saving water and money through conservation.
- Links to Texas Smartscape (www.txsmartscape.com) and other sites offering conservation information are available on the City website.
- As part of the Tarrant Regional Water District's (TRWD) customer base, the City of Kennedale supports the regional water conservation media campaign, "*Water is Awesome*".
- Promotion of SaveTarrantWater.com, a centralized source for North Texas water conservation information that provides information on water resources, sustainability, and local events.
- Information about water conservation and current drought information will continue to be included in the City of Kennedale e-newsletter and utility bill inserts.

7.4 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures

The State of Texas has required water-conserving fixtures in new construction and renovations since 1992. State standards call for flows of no more than 1.6 gallons per flush for toilets, 2.5 gallons per minute (gpm) for faucets, and 3.0 gpm for showerheads. Federal law now requires similar standards as well. The City of Kennedale (via Ordinance 603) requires new development to follow the 2015 International Plumbing Code. These standards assure that new construction and renovations will use water-conserving fixtures.

7.3 Leak Detection and Repair

Measures to control unaccounted water are part of the routine operations of the City of Kennedale; and are carried out by Arlington Water Utilities (AWU) under an agreement that provides for the City of Arlington to operate and maintain the City of Kennedale water and wastewater utility system. In order to maintain water delivery service and reduce unaccounted water losses, AWU and other City departments report evidence of leaks and pipeline breaks within the distribution system. Once identified, leaks and breaks are quickly repaired. AWU Field Operations has an ongoing program for locating, repairing, and operating all valves in the distribution system to minimize water loss due to inoperable or malfunctioning valves.

AWU has implemented a full-time leak detection program aimed at proactively detecting and locating distribution system leaks to reduce unaccounted water. The entire distribution system of water lines is rated using software that utilizes work order history, pipe material, age of pipe, and soil condition, which allows AWU to identify waterlines most in need of replacement. This ranking system allows lines in which numerous leaks and/or breaks occur to be prioritized for replacement as funding becomes available. Once the full-time leak detection program is fully implemented, the identification process for water line replacement will be updated accordingly as a result of any new information.

7.5 Landscape Water Management Regulations

The City of Kennedale's landscaping regulations encourage the use of native and adapted drought-tolerant plants; and some planned development or special districts require native and adaptive plants and permit the use of rain cisterns. In addition, the following regulations are in place to minimize waste in irrigation:

- Prohibition of outdoor watering with sprinklers from 10:00 a.m. to 6:00 p.m., year-round. (*Watering with hand-held hoses, soaker hoses, or dispensers is allowed.*)
- Requirement that all new irrigation systems include rain and freeze sensors.
- Year-Round limitation of landscape watering with sprinklers or irrigation systems at each service address (including parks and sports fields) to a twice weekly schedule:
 - Residential addresses ending in an even number (0, 2, 4, 6, or 8) may water on Wednesdays and Saturdays.
 - Residential addresses ending in an odd number (1, 3, 5, 7 or 9) may water on Thursdays and Sundays.
 - Non-Residential (apartments, businesses, industries, parks, medians, etc.) may water on Tuesdays and Fridays.

SECTION 8 PLAN UPDATE AND REVIEW

This Plan will be reviewed at least every five years, as required by TCEQ rules. The Plan — or its sections — may be amended, revised, or updated anytime it is appropriate to include new information.

CITY OF KENNEDALE, TX
WATER CONSERVATION PLAN
SUBMITTED JANUARY 2020

APPENDICES

APPENDIX A List of References

APPENDIX B Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2

APPENDIX C City of Kennedale Water Utility Profile Based on TWDB Format

APPENDIX D Letter to Region C Water Planning Group

APPENDIX E Landscape Water Management Regulations

APPENDIX F Illegal Water Connections and Theft of Water
Municipal Ordinance Pertaining to Illegal Water Connections and Theft of Water

APPENDIX G Adoption of Water Conservation Plan
Municipal Ordinance Adopting Water Conservation Plan

APPENDIX A: *List of References*

- (1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.2, downloaded from <http://www.tceq.state.tx.us/assets/public/legal/rules/rules/pdflib/288a.pdf>, August 2014.
- (2) Texas Water Development Board website, municipal water conservation plan guidance, BMP's and checklists. <http://www.twdb.state.tx.us/conservation/municipal/plans/index.asp>.

The following Water Conservation Plans and related documents were utilized and reviewed in the development of this Plan:

- Texas Water Development Board: Retail Utility Profile Form (TWDB Form – 1965R)
- Texas Water Development Board: Water Conservation Plan Checklist (TWDB Form – 1968)
- Texas Water Development Board: Water Conservation Plan Template
- City of Burleson: “Water Conservation Plan” (April 2014)
- City of Fort Worth: “Draft Water Conservation Plan” prepared by Freese and Nichols (March 2014)
- Tarrant Regional Water District: “Strategic Water Conservation Plan” (January 2013)
- City of Arlington: “Water Conservation Plan,” (April 2009)
- City of Mansfield: “Water Conservation Plan”

APPENDIX B: Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2

TEXAS ADMINISTRATIVE CODE

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.2	WATER CONSERVATION PLANS FOR MUNICIPAL USES BY PUBLIC WATER SUPPLIERS

(a) A water conservation plan for municipal water use by public water suppliers must provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public water suppliers must include the following elements:

(A) a utility profile in accordance with the Texas Water Use Methodology, including, but not limited to, information regarding population and customer data, water use data (including total gallons per capita per day (GPCD) and residential GPCD), water supply system data, and wastewater system data;

(B) a record management system which allows for the classification of water sales and uses into the most detailed level of water use data currently available to it, including, if possible, the sectors listed in clauses (i) - (vi) of this subparagraph. Any new billing system purchased by a public water supplier must be capable of reporting detailed water use data as described in clauses (i) - (vi) of this subparagraph:

- (i) residential;
 - (I) single family;
 - (II) multi-family;
- (ii) commercial;
- (iii) institutional;
- (iv) industrial;
- (v) agricultural; and,
- (vi) wholesale.

(C) specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in total GPCD and residential GPCD. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

- (i) a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the water supplier; and
- (ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system;

(B) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

(D) reuse and/or recycling of wastewater and/or graywater;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan; and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

SOURCE NOTE: THE PROVISIONS OF THIS §288.2 ADOPTED TO BE EFFECTIVE MAY 3, 1993, 18 TEXREG 2558; AMENDED TO BE EFFECTIVE FEBRUARY 21, 1999, 24 TEXREG 949; AMENDED TO BE EFFECTIVE APRIL 27, 2000, 25 TEXREG 3544; AMENDED TO BE EFFECTIVE OCTOBER 7, 2004, 29 TEXREG 9384; AMENDED TO BE EFFECTIVE DECEMBER 6, 2012, 37 TEXREG 9515.

APPENDIX C: Utility Profile for Retail Water Supplier

CONTACT INFORMATION

Name of Utility: **City of Kennedale**

Public Water Supply Identification Number (PWS ID): **2200017**

Certificate of Convenience and Necessity (CCN) Number: **10090**

Surface Water Right ID Number: **N/A**

Wastewater ID Number: **N/A**

Completed By: **Darryl Westbrook** Title: **Assistant Director**

Address: **405 Municipal Drive** City: **Kennedale** Zip Code: **76060**

Email: **darryl.westbrook@arlingtontx.gov** Telephone Number: **817-459-6601**

Date: **Monday, February 24, 2020**

Regional Water Planning Group: **C**

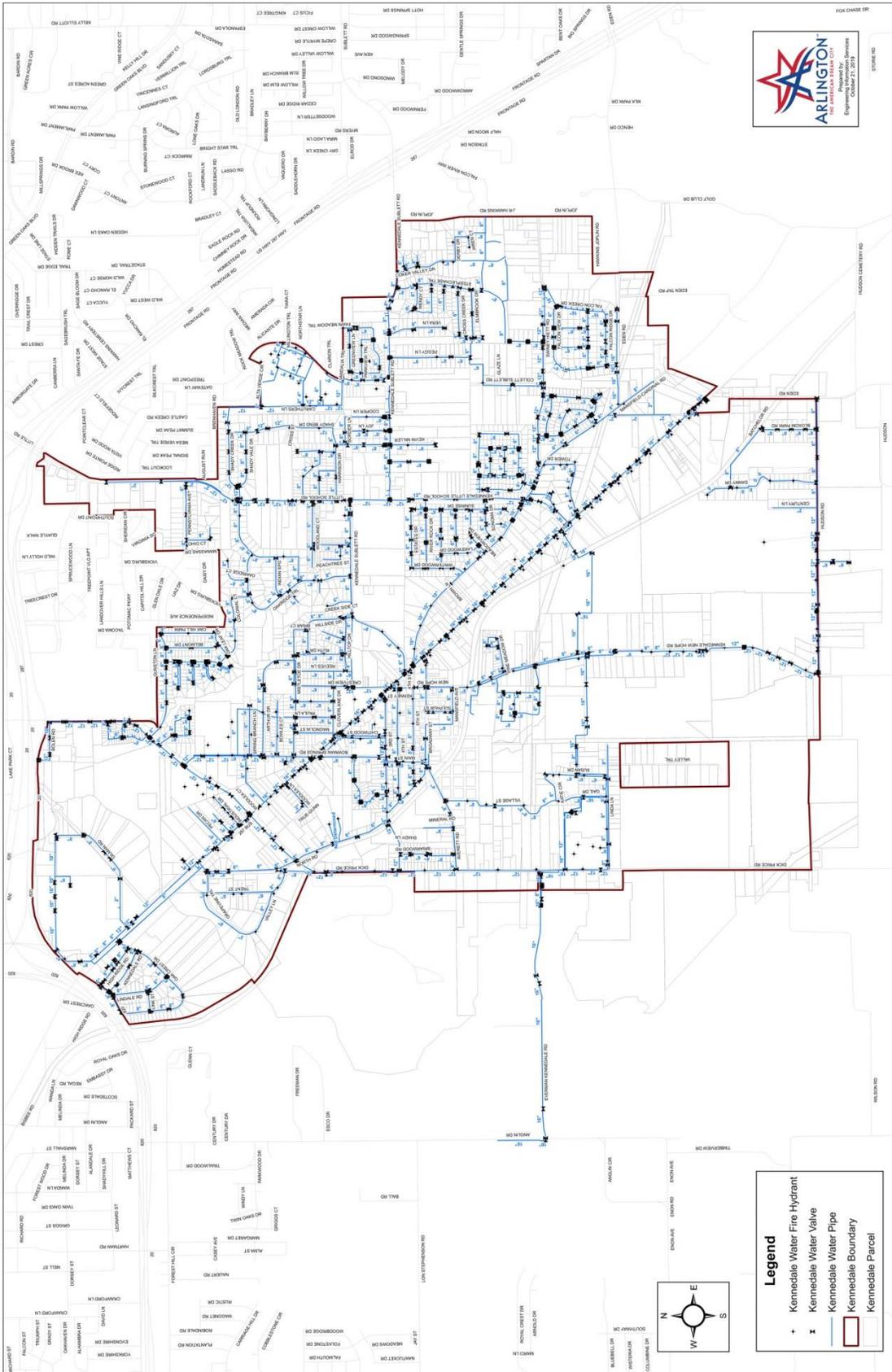
Groundwater Conservation District: **Northern Trinity**

Check all that apply:

- Received financial assistance of \$500,000 or more from TWDB
- Have 3,300 or more retail connections
- Have a surface water right with TCEQ

A. POPULATION AND SERVICE AREA DATA

Current Service Area: 6 Square Miles



HISTORICAL SERVICE AREA POPULATION FOR THE PREVIOUS FIVE YEARS

YEAR	HISTORICAL POPULATION SERVED BY RETAIL WATER SERVICE	HISTORICAL POPULATION SERVED BY WHOLESALE WATER SERVICE	HISTORICAL POPULATION SERVED BY WASTEWATER SERVICE
2014	7,164	0	6,503
2015	7,130	0	6,488
2016	7,290	0	6,634
2017	7,420	0	6,752
2018	7,420	0	6,752

PROJECTED SERVICE AREA POPULATION FOR THE FOLLOWING DECADES

YEAR	PROJECTED POPULATION SERVED BY	PROJECTED POPULATION SERVED BY	PROJECTED POPULATION SERVED BY
2020	7,786		7,085
2030	9,289		8,543
2040	11,081		10,084
2050	13,219		12,029
2060	15,770		14,351

Data extrapolated from 2019 North Center Texas Council of Governments Population Estimates Publication.

B. SYSTEM INPUT

SYSTEM INPUT DATA FOR THE PREVIOUS FIVE YEARS

Total System Input = Self-supplied + Imported - Exported

YEAR	SELF-SUPPLIED WATER IN GALLONS	PURCHASED/IMPORTED WATER IN GALLONS	EXPORTED WATER IN GALLONS	TOTAL SYSTEM INPUT	TOTAL GPCD
2014	189,029,176	164,597,900	0	353,627,076	135
2015	192,992,900	174,133,100	0	367,126,000	141
2016	298,154,340	52,836,300	0	350,990,640	132
2017	295,861,722	61,989,000	0	357,850,722	132
2018	309,468,190	87,173,300	0	397,143,566	147
2019	257,101,266	108,145,920	0	365,247,186	137
Historic 5-Year Average	257,101,266	108,145,920	0	365,330,865	137

C. WATER SUPPLY SYSTEM (ATTACH DESCRIPTION OF WATER SYSTEM)

Designed Daily Capacity of System: 4,100,000 gallons per day

Storage Capacity: Elevated: 1,145,000 gallons

Ground: 2,175,000 gallons

CURRENT WATER SUPPLY SOURCES IN GALLONS

WATER SUPPLY SOURCE	SOURCE TYPE*	TOTAL GALLONS
Trinity Aquifer	Ground	1,600,000
City of Fort Worth	Contract	2,500,000

*If surface water is a source type, do you recycle backwash to the head of the plant? N/A; Estimated gallons per day: N/A

D. PROJECTED DEMANDS

ESTIMATED WATER SUPPLY REQUIREMENTS FOR THE NEXT TEN YEARS

Based on population trends, historical water use, economic growth, etc.

YEAR	POPULATION	WATER DEMANDS (IN GALLONS)
2020	7,786	383,000,000
2021	7,925	390,000,000
2022	8,066	390,000,000
2023	8,209	390,000,000
2024	8,356	390,000,000
2025	8,504	400,000,000
2026	8,656	400,000,000
2027	8,810	400,000,000
2028	8,967	410,000,000
2029	9,126	410,000,000
2030	9,289	410,000,000

Population data extrapolated from 2019 North Center Texas Council of Governments Population Estimates Publication, and 2018 water demand utilized to project out future water demands.

E. HIGH VOLUME CUSTOMERS

ANNUAL WATER USE (IN GALLONS) FOR THE FIVE HIGHEST VOLUME RETAIL CUSTOMERS

Indicate water use category: residential, industrial, commercial, institutional, or agricultural

RETAIL CUSTOMER	WATER USE CATEGORY	ANNUAL WATER USE	TREATED OR RAW
Kennedale ISD	Institutional	6,626,987	Treated
Speed Fab-Crete Corp	Industrial	5,796,523	Treated
Avalon MHP	Residential	4,493,145	Treated
Kennedale MHP, LLC	Residential	2,899,384	Treated
Kennedale Seniors, LTD	Residential	2,833,753	Treated

ANNUAL WATER USE FOR THE FIVE HIGHEST VOLUME WHOLESALE CUSTOMERS.

Indicate water use category: municipal, industrial, commercial, institutional, or agricultural

N/A

F. UTILITY DATA COMMENT SECTION

ADDITIONAL COMMENTS ABOUT UTILITY DATA

High Volume Customer Comments:

1. Avalon is multi-family residential (mobile home park).
2. Kennedale MHP is residential (mobile home park).
3. Kennedale Seniors is a privately-owned senior living neighborhood made up of fourplex structures.

APPENDIX C, SECTION II: SYSTEM DATA

A. RETAIL CONNECTIONS

ACTIVE RETAIL CONNECTIONS BY MAJOR WATER USE CATEGORY

WATER USE CATEGORY	ACTIVE RETAIL CONNECTIONS			
	METERED	UNMETERED	TOTAL	% OF TOTAL
Residential - Single Family	2,815	0	2,815	81%
Residential - Multi-Family (Units)	266	0	266	8%
Industrial	40	0	40	1%
Commercial	325	0	325	9%
Institutional	34	0	34	1%
Agricultural	0	0	0	0%
TOTAL	3,480	0	3,480	100%

NET NUMBER OF NEW RETAIL CONNECTIONS BY WATER USE CATEGORY

WATER USE CATEGORY	NET NUMBER OF NEW RETAIL CONNECTIONS				
	2014	2015	2016	2017	2018
Residential - Single Family	109	29	54	60	90
Residential - Multi-Family (Units)	2	23	0	0	0
Industrial	1	-2	0	1	0
Commercial	5	3	6	0	7
Institutional	2	0	0	0	0
Agricultural	0	0	0	0	0
TOTAL	119	53	60	61	97

B. Accounting Data

GALLONS OF RETAIL WATER PROVIDED IN EACH MAJOR WATER USE CATEGORY

WATER USE CATEGORY	TOTAL GALLONS OF RETAIL WATER				
	2014	2015	2016	2017	2018
Residential - Single Family	255,608,167	254,267,211	236,869,850	231,757,551	269,194,350
Residential - Multi-Family (Units)	13,850,808	14,052,854	15,358,447	15,678,613	15,888,112
Industrial	7,164,420	5,538,682	5,843,564	7,075,740	9,858,114
Commercial	33,180,827	34,973,532	29,549,894	30,810,261	25,951,193
Institutional	12,050,276	11,842,205	10,349,926	10,426,248	11,228,601
Agricultural	0	0	0	0	0
TOTAL	321,854,498	320,674,484	297,971,681	295,748,413	332,120,370

C. Residential Water Use

RESIDENTIAL GPCD FOR SINGLE FAMILY AND MULTI-FAMILY UNITS

WATER USE CATEGORY	RESIDENTIAL GPCD				
	2014	2015	2016	2017	2018
Residential - Single Family	110	110	101	96	112
Residential - Multi-Family (Units)	47	48	50	52	52

D. Annual and Seasonal Water Use

GALLONS OF TREATED WATER PROVIDED TO RETAIL CUSTOMERS

WATER USE CATEGORY	TOTAL GALLONS OF TREATED RETAIL WATER				
	2014	2015	2016	2017	2018
January	20,225,300	18,312,100	19,541,700	21,618,400	23,421,554
February	18,860,700	17,163,600	20,230,600	19,526,700	18,830,465
March	23,222,000	19,352,700	21,820,700	24,546,700	26,992,864
April	24,595,500	21,405,400	21,917,500	25,999,034	24,862,534
May	32,674,900	21,628,800	25,255,300	32,540,900	40,696,799
June	34,296,586	32,264,600	34,338,800	30,957,700	54,026,830
July	43,797,324	54,192,600	47,295,200	41,618,788	63,385,088
August	46,838,666	59,592,200	41,434,600	33,882,526	52,218,871
September	38,091,500	44,827,400	38,423,400	40,582,256	30,032,060
October	31,187,300	36,845,600	32,162,340	38,408,170	23,447,807
November	20,661,700	21,459,500	25,684,800	25,045,948	20,464,795
December	19,175,600	20,081,500	22,885,700	23,123,600	18,261,823
TOTAL	353,627,076	367,126,000	350,990,640	357,850,722	396,641,490

GALLONS OF RAW WATER PROVIDED TO RETAIL CUSTOMERS

WATER USE CATEGORY	TOTAL GALLONS OF RAW RETAIL WATER				
	2014	2015	2016	2017	2018
January	0	0	0	0	0
February	0	0	0	0	0
March	0	0	0	0	0
April	0	0	0	0	0
May	0	0	0	0	0
June	0	0	0	0	0
July	0	0	0	0	0
August	0	0	0	0	0
September	0	0	0	0	0
October	0	0	0	0	0
November	0	0	0	0	0
December	0	0	0	0	0
TOTAL	0	0	0	0	0

SUMMARY OF SEASONAL AND ANNUAL WATER USE

WATER USE	SEASONAL AND ANNUAL WATER USE					5-YEAR AVERAGE IN GALLONS
	2014	2015	2016	2017	2018	
SUMMER RETAIL (TREATED + RAW)	124,932,576	146,049,400	123,068,600	106,459,014	169,630,789	134,028,076
TOTAL RETAIL (TREATED + RAW)	353,627,076	367,126,000	350,990,640	357,850,722	396,641,490	365,247,186

E. WATER LOSS

WATER LOSS DATA FOR THE PREVIOUS FIVE YEARS

$Water\ Loss\ GPCD = [Total\ Water\ Loss\ in\ Gallons \div Permanent\ Population\ Served] \div 365$
 $Water\ Loss\ Percentage = [Total\ Water\ Loss \div Total\ System\ Input] \times 100$

YEAR	TOTAL WATER LOSS IN GALLONS	WATER LOSS IN GPCD	WATER LOSS AS A PERCENTAGE
2014	17,608,578	7	5%
2015	30,018,313	12	8%
2016	38,753,932	15	11%
2017	34,041,359	13	10%
2018	52,895,693	21	13%
5-YEAR AVERAGE	34,663,575	14	9%

F. PEAK WATER USE

AVERAGE DAILY WATER USE AND PEAK DAY WATER USE

YEAR	AVERAGE DAILY USE (IN GALLONS)	PEAK DAY USE (IN GALLONS)	RATIO (PEAK/AVG)
2014	968,841	2,135,272	2.20
2015	1,005,825	2,471,500	2.46
2016	958,991	2,021,800	2.11
2017	980,413	1,884,040	1.92
2018	1,088,065	2,449,850	2.25

G. SUMMARY OF HISTORIC WATER USE

WATER USE CATEGORY	HISTORIC 5-YEAR AVERAGE	PERCENT OF CONNECTIONS	PERCENT OF WATER USE
Residential SF	249,539,426	81%	80%
Residential MF	14,965,767	8%	5%
Industrial	7,096,104	1%	3%
Commercial	30,893,141	9%	10%
Institutional	11,179,451	1%	2%
Agricultural	0	0%	0%

H. SYSTEM DATA COMMENT SECTION

ADDITIONAL COMMENTS ABOUT SYSTEM DATA

No additional comments at this time.

APPENDIX D *Letter to Region C Water Planning Group*

Monday, February 24, 2020

MR. KEVIN WARD
CHAIR, REGION C WATER PLANNING GROUP
TRINITY RIVER AUTHORITY
P.O. BOX 60
ARLINGTON, TX 76004

Dear Mr. Ward,

A copy of the 2019 Water Conservation Plan for customers of the City of Kennedale is enclosed. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules.

Sincerely,

A handwritten signature in blue ink, appearing to read "George Campbell".

George Campbell
City Manager
City of Kennedale

APPENDIX E *Landscape Water Management Regulations*

ORDINANCE NO. 557

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS ADOPTING AN UPDATED DROUGHT CONTINGENCY AND EMERGENCY WATER MANAGEMENT PLAN; AMENDING CHAPTER 23, "WATER, SEWERS AND SEWAGE DISPOSAL" OF THE KENNEDALE CITY CODE OF ORDINANCES BY REPEALING ARTICLE VI, "DROUGHT CONTINGENCY/WATER EMERGENCY MANAGEMENT PLAN" AND ADOPTING A NEW ARTICLE VI; AMENDING CHAPTER 23 BY ADOPTING A NEW ARTICLE X "LAWN AND LANDSCAPE IRRIGATION"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas (the ACity@) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City is a wholesale water service customer of the City of Fort Worth; and

WHEREAS, as a wholesale customer of the City of Fort Worth, the City is required to institute the same rationing and water use restrictions on City customers as does the City of Fort Worth for so long as any part of the total water supply is furnished by the City of Fort Worth; and

WHEREAS, as a wholesale customer of the City of Fort Worth, the City is required to adopt an updated drought contingency and emergency water plan; and

WHEREAS, the City has drafted a "Drought Contingency and Emergency Water Management Plan" which complies with Chapter 288, Title 30 of the Texas Administrative Code.

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

SECTION 1.

That the Drought Contingency and Emergency Water Management Plan attached as Exhibit "A" is hereby adopted and incorporated herein for all purposes. The Drought Contingency and Emergency Water Management Plan hereby adopted shall replace any previous such plans adopted by the City.

SECTION 2.

That Article VI, "Drought Contingency/Water Emergency Management Plan" of Chapter 23, "Water, Sewers and Sewage Disposal" is repealed in its entirety and replaced with the following:

"ARTICLE VI. DROUGHT CONTINGENCY/EMERGENCY WATER MANAGEMENT PLAN

Sec. 23-336. General

The Drought Contingency and Emergency Water Management Plan ("Plan") outlines the city's water emergency water demand management efforts. The City will revise the Plan as needed to meet objectives requested by the Texas Commission on Environmental Quality, regional water planning groups, the City of Fort Worth and to meet the goals stated in the Plan. The Plan established in this Article shall be administered by the Director of Public Works of the city or his/her duly appointed representative ("director").

Sec. 23-337. Drought Contingency and Emergency Water Management Plan

(a) The City has adopted the Plan which is on file and available for inspection at the City Secretary's office. The Plan may be amended from time to time by adopting an ordinance amending the Plan.

(b) Purpose and scope. The purpose of this section is to establish the city's policy in the event of shortages or delivery limitations in the city's water supply and to establish water restrictions to be enforced in case of drought or emergency conditions. This section applies to:

- (1) All persons and premises within the city using water from the water system;
- (2) All retail customers who live in unincorporated areas within the city's extraterritorial jurisdiction and are served by the water system; and
- (3) All wholesale service customers outside the city to the extent provided in subsection (h).

(c) Authority. The director is authorized to implement measures prescribed when required by this section and by the Plan approved by the city council. The director is authorized to enforce the measures implemented and to promulgate regulations, not in conflict with this section, the Plan or state and federal laws, in aid of enforcement.

(d) Initiation of Plan stages. The director may order that the appropriate stage of the Plan be initiated upon determination that drought conditions or a water emergency exists. To be effective, the order must be made by some or all of the following methods:

- (1) publication in the local newspaper;

- (2) publication on the city's website; or
- (3) publication on utility bill inserts, the city's newsletter, or public access channel.

(e) Duration of stage; change. A stage will remain in effect until the conditions that triggered initiation of the stage have been eliminated. If the stage is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered unless the director determines that conditions exist that will allow termination of the stage before September 30. When conditions change, the director may terminate, upgrade or downgrade the stage. Any such change must be made in the same manner prescribed in subsection (d).

(f) Violation of section. A person commits an offense if he knowingly makes, causes or permits a use of water contrary to the measures implemented by the director as prescribed in the Plan. For purposes of this subsection, it is presumed that a person has knowingly made, caused or permitted a use of water contrary to the measures implemented if the mandatory measures have been formally ordered consistent with the terms of subsection (d) and:

- (1) The manner of use has been prohibited by the Plan;
- (2) The amount of water used exceeds that allowed by the Plan; or
- (3) The manner or amount used violates the terms and conditions of a compliance agreement made pursuant to a variance granted by the director.

(g) Penalties/enforcement of violations. Any person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and the Plan will be given a written warning that he has violated a mandatory water use restriction as a first offense. Any person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and the Plan may be fined not more than \$2,000.00 for each subsequent offense. In addition, the following penalties shall apply:

- (1) A person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and stage 1 of the Plan as a second offense, shall be fined not less than \$100.00.
- (2) A person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and stage 2 of the Plan as a second offense, shall be fined not less than \$250.00.
- (3) A person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and stage 3 of the Plan as a second offense, shall be fined not less than \$500.00.

- (4) If a person is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and the Plan as a third offense, the director may either:
- a. Install a flow restrictor in the water line to the premises where the violations occurred to limit the amount of water that may pass through the meter in a 24-hour period or a lock-out device to a backflow assembly; or
 - b. Discontinue water service to the premises where the violation occurred.
- (h) Wholesale service to customers outside the city. The director shall advise customers receiving wholesale water service from the city of actions taken under the Plan. The director may restrict service to customers outside the city as permitted under the contract and state law.
- (i) Authority under other laws. Nothing in this section shall be construed to limit the authority of the mayor, the city council or the city manager to seek emergency relief under the provisions of any state or federal disaster relief act.
- (j) Variances. During the times the emergency order is operative, the director may grant variances only under the following circumstances and conditions:
- (1) The applicant signs a compliance agreement on a form provided by the director, and approved by the city attorney, agreeing to use the water only in the amount and manner permitted by the variance;
 - (2) Granting of the variance would not cause an immediate significant reduction in the city's water supply;
 - (3) Failure to approve the variance would result in an extreme hardship or need relating to the health, safety or welfare of the applicant; and
 - (4) Granting the variance would not adversely affect the premises at which the violation occurred.
- (k) Revocation of Variances. The director may revoke a variance when he or she determines that:
- (1) The conditions of subsection (j) are not being met or are no longer applicable;
 - (2) The terms of the compliance agreement are being violated; or
 - (3) Revocation is advisable to protect the health, safety or welfare of other persons.
- (l) Appeal. Denial or revocation of a variance by the director may be appealed to the city manager by filing a written notice of appeal with the city manager within ten days after issuance of the director's decision. The city manager's decision shall be final.

Secs. 23-338—23-375.—Reserved”

SECTION 3.

That Chapter 23, “Water, Sewers and Sewage Disposal” is amended by adding a new Article X, “Lawn and Landscape Irrigation” to read as follows:

“ARTICLE X. LAWN AND LANDSCAPE IRRIGATION

Sec. 23-570. Lawn and Landscape Irrigation Restrictions.

(a) Lawns and landscaping may be watered on any day, at any time, by handheld hose, drip irrigation, a soaker hose or tree bubbler. (The intent of this measure is to allow for the protection of structural foundations, trees, and other high value landscape materials). Except for hand watering, drip irrigation and the use of soaker hoses, a person may only irrigate, water, or cause or permit the irrigation or watering of any lawn or landscape, inclusive of structural foundations, trees, and other high value landscape materials, located on premises owned, leased, or managed by that person (i) on a day designated as an outdoor water use day for the property’s address as shown below; and (ii) between the hours of 12 midnight to 10 a.m. and 6 p.m. to 11:59 p.m. on such day.

(1) Residential addresses ending in an even number (0, 2, 4, 6 or 8) may water on Wednesdays and Saturdays.

(2) Residential addresses ending in an odd number (1, 3, 5, 7 or 9) may water on Thursdays and Sundays.

(3) All non-residential locations (apartment complexes, businesses, industries, parks, street and/or roadway medians, etc.) may water on Tuesdays and Fridays.

(b) Except for hand watering, drip irrigation and the use of soaker hoses, a person commits an offense if that person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape located on premises owned, leased, or managed by that person between the hours of 10:00 a.m. and 6:00 p.m.

(c) Except for hand watering, drip irrigation and the use of soaker hoses, a person commits an offense if that person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape located on premises owned, leased, or managed by that person on a day that is not designated as an outdoor water use for that property address as shown in subsection (a) above.

(d) A person commits an offense if a person knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased or managed by the person in a manner that causes:

(1) a substantial amount of water to fall upon impervious areas instead of a lawn or

landscape, such that a constant stream of water overflows from the lawn or landscape onto a street or other drainage area; or

(2) an irrigation system or other lawn or landscape watering device to operate during any form of precipitation.

(e) A person commits an offense if, on premises owned, leased, or managed by that person, a person operates a lawn or landscape irrigation system or device that:

(1) has any broken or missing sprinkler head; or

(2) has not been properly maintained in a manner that prevents the waste of water.

(f) Affirmative Defenses

(1) It shall be an affirmative defense to prosecution of an offense in section 86-301(a) that at the time such person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape, such activity was for the purpose of:

(A) dust control of a sports field; or

(B) the maintenance, repair, or testing of an irrigation system.

(2) The activity described in subsection f(1) (A) and (B) may only occur within a period of two (2) days no more than once every thirty (30) days. Any such activity requiring a longer period or greater frequency shall require a variance as provided by subsection (g).

(g) Variances

(1) The city manager or his official designee (“director”) may grant variances to the twice per week watering and irrigation restrictions and schedule, if one or more of the following conditions are met:

(A) Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person requesting the variance;

(B) Compliance with the watering and irrigation restrictions and/or schedule cannot be accomplished due to technical or other limitations; or

(C) Alternative methods that achieve the same level of reduction in water use can be implemented.

(2) The director may grant variances to allow for establishment of hydromulch, grass sod, or grass seed for new lawns.

(3) Variances shall be granted or denied at the discretion of the director. All petitions for variances shall be in writing and shall include the following:

- (A) Name and address of the petitioner(s);
- (B) Purpose of the water use;
- (C) Specific provisions from which relief is requested;
- (D) Detailed statement of the adverse effect of the provision from which relief is requested;
- (E) Description of the relief requested;
- (F) Period of time for which the variance is sought;
- (G) Alternative measures that will be taken to reduce water use; and
- (H) Other pertinent information requested.

(h) A person who irrigates, waters, or causes or permits the irrigation or watering by use of an alternative water source such as a well, reclaimed or reused water, or water from the Trinity River is exempt from prosecution if that person has:

- (1) Registered such alternative water source with the City;
- (2) Provided sufficient proof to the director that the alternative water source is from a well, reclaimed or reused water or from the Trinity River and has allowed inspection by the director if deemed necessary; and
- (3) Complied with the City's Backflow and Cross-connection Control regulations.

Sec. 23-571. Rain sensing devices and freeze gauges.

(a) Any commercial or industrial customer class irrigation system installed within the City after the adoption of the Article must be equipped with rain and freeze sensors.

(b) Any installed commercial or industrial customer class system installed after the adoption of this Article may not be operated without being equipped with rain and freeze sensors.

(c) The potable water supply to lawn irrigation system shall be protected against backflow in accordance with the City's Backflow and Cross-connection Control regulations. All rain and freeze sensors for commercial class lawn irrigation systems shall undergo annual inspection and testing.

(d) Any residential customer class irrigation system installed within the City after adoption of this Article must be equipped with rain and freeze sensors.

(e) It shall be unlawful for any person to knowingly or recklessly install, operate, or cause or permit the installation of or the operation of, an irrigation system in violation of subsections 23-571 (a) through (d) on premises owned, leased, or managed by that person.

Sec. 23-572. Essential services.

The governmental use of water for essential services such as police, fire and emergency services which are necessary to preserve or protect the health, safety and welfare of the citizens of the City are exempt from any and all restrictions or mandates set forth in this Article.

Secs. 23-573—23-599.—Reserved”

**SECTION 4.
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of all existing ordinances and of the Kennedale City Code, as amended, including but not limited to all ordinances of the City of Kennedale affecting drought contingencies or water emergencies, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 5.
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 6.
SAVINGS CLAUSE**

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of the Kennedale City Code, as amended, or any other ordinances regarding drought contingencies and water emergencies that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.
PENALTY CLAUSE**

Any person, firm or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars and no cents (\$2,000.00) for each violation, and in addition shall pay all costs and expenses involved in the case. Each day a violation occurs is a separate offense. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

**SECTION 8.
PAMPHLET FORM CLAUSE**

The City Secretary of the City is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

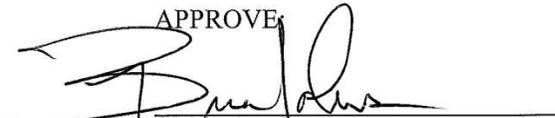
**SECTION 9.
PUBLICATION CLAUSE**

The City Secretary of the City of Kennedale is hereby directed to publish the caption penalty clause publication clause and effective date clause of this ordinance in every issue of the official newspaper of the City of Kennedale for two days or one issue of the newspaper if the official newspaper is a weekly newspaper as authorized by Section 3.10 of the City of Kennedale Charter.

**SECTION 10.
EFFECTIVE DATE CLAUSE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THE FIRST READING THIS 15TH DAY OF
DECEMBER, 2014.**

APPROVE


Brian Johnson, Mayor



ATTEST:



Kelly Cooper, City Secretary

APPROVED AS TO FORM AND LEGALITY:



Wayne K. Olson, City Attorney

APPENDIX F *Illegal Water Connections and Theft of Water*

Municipal Ordinance Pertaining to Illegal Water Connections and Theft of Water

DIVISION 1. - GENERALLY

Sec. 23-21. - Unauthorized connections, use.

- (a) It shall be unlawful for any person to make or permit to be made any connections with the main or service pipes of the waterworks system, or to turn on or use the water of the system. No person shall assist another in violating this section.
- (b) It shall be unlawful for any person to open or close any fire hydrant or stopcock connected with the waterworks system of the city, or lift or remove the covers of any gate valves or shutoffs thereof, without the permission of the superintendent of the waterworks, except in case of fire, and then under the direction of officers of the fire department. No person shall assist another in violating this section.
- (c) No water connection from the city's public drinking water supply system shall be made to any heat exchanger, condenser, cooler, industrial processor, or any other system of nonpotable usage by which the public water supply system is used as a heat dissipater or heat sink unless the water is metered through a customer connection and no water is returned to the city's public potable water system. All these types of uses will be regulated under the city's current building codes.

(Code 1977, § 14-5(1), (7); Ord. No. 32, § 1, 11-12-92)

Sec. 23-22. - Work performed by city employees or subject to city approval.

Placement of water meters and connection to the city water main may only be made by city employees. Charges for connections to the city water system and setting of meters are as established by ordinance. Repair of street surface when a cut is made shall be according to plans and specifications of the city, and subject to approving inspection by the city.

(Code 1977, § 14-3; Ord. No. 84-1, § 1, 1-12-84)

Sec. 23-23. - Installation of water meters; water taps.

- (a) In new residential, commercial and industrial developments within the city, where the developer has installed water mains and taps at the developer's expense, without paying costs or tap fees to the city, each customer's unit shall be assessed a fee by the city for the installation of a water meter to each customer unit. The fee shall be based on actual labor and equipment costs incurred by the city, including the cost of electronic meter reading sensing units.
- (b) All water taps made by a developer shall be subject to inspection and approval by the city before such taps are covered.

(Ord. No. 84-5, §§ 1, 2, 1-12-84; Ord. No. 204, § 1, 10-12-00)

Sec. 23-24. - Stop valves; right of city to read, inspect, etc., meters.

Each service installation shall have, between the meter and service hydrant, a stop valve for the customer's use in making repairs on the customer's property. Present services shall conform to this section when any service is changed or altered. City water system employees shall have the right, at a reasonable time, to read, inspect, remove or test any water meter, and temporarily to disconnect the water service for such purpose.

(Code 1977, § 14-3(d))

Sec. 23-25. - Meters must remain where set; authorized removal.

All water meters and services connected to the city water system shall remain in place where set, unless removal be deemed necessary by the city manager if the premises become abandoned.

(Code 1977, § 14-3(b))

Sec. 23-26. - Separate water lines and meters for each building; exception for apartment houses, office complexes, etc.

Every building that is capable of independent ownership shall have its own separate water service line and meter connected directly to the city main. Apartment houses, office complexes, mobile home parks or other buildings as deemed reasonable by the city manager may be served by a single meter, provided a service stop is provided for each unit or portion of the entire complex. In such cases, the amount of required deposit shall be the amount determined by the city manager to be reasonably commensurate with the volume of monthly service.

(Code 1977, § 14-3(c))

Sec. 23-27. - Problems on service side of meter; cutoff fee.

For cutting off of water service for problems on the service side of the water meter a charge in the amount established by ordinance will be assessed.

(Code 1977, § 14-2(c))

Sec. 23-28. - Covering, concealing valve box or meter.

It shall be unlawful for any person to cover over or conceal from view any water valve box or service or meter box or assist another in so doing.

(Code 1977, § 14-5(8))

Sec. 23-29. - Unauthorized tampering, altering, etc.

No person not authorized by the city may turn off, turn on, connect, disconnect, test, repair, tamper or interfere with, or alter in any manner the city's water system. No person shall assist another in violating this section.

(Code 1977, § 14-3(g) 14-5(1), (6), (9), (10))

Sec. 23-30. - Going upon storage tanks, standpipes.

It shall be unlawful for any person to go upon or ascend the stairway or steps on any elevated water storage tank or standpipe of the waterworks system, except by permission of the waterworks superintendent. No person shall assist another in violating this section.

(Code 1977, § 14-5(3))

Sec. 23-31. - Procuring water through fraudulent device or arrangement.

- (a) It shall be unlawful for any person to resort to any fraudulent device or arrangement for the purpose of procuring water for himself or others from private connections on premises contrary to the city regulations or

ordinances.

(b) No person shall assist another in violating subsection (a).

(Code 1977, § 14-5(5))

Sec. 23-32. - Water shortage emergency.

In a shortage of water emergency, it shall be the duty of the city manager to give reasonable notice to water customers not to use water from the system for any purpose other than domestic use and other uses as determined. Until the city manager proclaims the emergency at an end, it shall be unlawful for any person to use water from the city water system for watering or sprinkling a lawn, flower bed or garden, or to use such water for any purpose other than domestic use or designated uses.

(Code 1977, § 14-3(f))

Sec. 23-33. - Utility and infrastructure board.

(a) *Creation and purpose.* There is hereby created and established a utility and infrastructure board. Such board shall be officially designated as the utility and infrastructure board of the City of Kennedale, Texas. The board shall provide recommendations and advice to the city council on policies, projects, and other matters pertaining to the water and wastewater system, the storm water utility system, the street/transportation system, and the solid waste collection system.

(b) *Membership.*

(1) The board shall consist of seven (7) regular members, designated by Places 1 through 7, who shall be appointed by a majority vote of the city council. Places 1, 3, 5, and 7 shall serve two (2) year terms expiring October 1 of odd numbered years and Places 2, 4, and 6 shall serve two (2) year terms expiring October 1 of even numbered years. The city council may also appoint by majority vote two (2) alternate members, designated as Places 8 and 9 who shall serve in the absence of one or more regular members. Place 8 shall be appointed to an initial term expiring October 1, 2020. Place 9 shall be appointed to an initial term expiring October 1, 2019. Thereafter the terms for each alternate place shall be two (2) years.

(2) Members must meet the following qualifications:

- a. Be a registered voter of the city;
- b. Shall have resided in the corporate limits of the city for at least one (1) year; and
- c. Shall continue residency in the city during the term of office.

(3) The city council shall appoint a replacement to fill any vacancy for the unexpired term of a member whose place has become vacant.

(4) The city council shall have the authority to remove any member at any time, with or without cause.

(c) *Organization, rules, and requirements.*

(1) By November of each year, the membership shall determine, by simple majority vote, a chair and vice chair. The terms of the chair and vice chair shall be one (1) year. It will be the duty of the chair to preside over meetings. If the chair is absent the vice chair shall assume the duties of the office.

(2) Members of the board shall meet at least six (6) times per year, on a regular day and time selected by its members. The chair may call special meetings as necessary.

(3) The board shall conduct meetings and govern its proceedings according to the city council's adopted rules of order, abide by the Texas Open Meetings Law, and shall keep a record of its proceedings,

including votes and attendance, and shall submit these records to the city secretary's office.

- (4) Members of the board shall not take any action unless a quorum is present. A quorum shall consist of four (4) members. Each member, including the chair, is entitled to one (1) vote, and action of the board shall require a majority of those members present.
 - (5) The city manager shall designate a city employee to serve as staff liaison to the board.
 - (6) Members of the board shall receive one dollar (\$1.00) for each regular meeting attended as compensation for the performance of their duties, but no compensation shall be paid for special meetings. In addition, members may receive reimbursement of authorized expenses attendant to the performance of their duties.
- (d) Powers and duties.
- (1) This board is advisory only and shall not have any decision-making authority.
 - (2) The board shall have the following duties:
 - a. To make studies and project plans for the city's water and wastewater system; solid waste collection system; streets/transportation system; and storm water utility system, including erosion controls and improvements along Village Creek tributaries and improvements to the main branch of Village Creek;
 - b. To aid and assist the city in the procuring of financial and other aids and assistance for the city from the state and federal governments and their agencies for each and all the purposes herein enumerated;
 - c. To act with and assist all other municipal boards, governmental agencies, regional associations and the city council in formulating proper plans for utility infrastructure development;
 - d. To plan and recommend capital improvement projects (CIP) related to the water and wastewater utility, storm water utility, streets and transportation, and solid waste utility;
 - e. To recommend general rules and regulations governing use of water and wastewater utilities, storm water utility, streets and transportation, and solid waste collection;
 - f. To accomplish these duties, the board may establish subcommittees as necessary. Any subcommittee shall be chaired by a utility and infrastructure board member, and an unspecified number of community volunteers may be chosen by the commission as working subcommittee members.

(Ord. No. 614, §§ 1-4, 10-17-16; Ord. No. 656, § 1, 12-11-18)

Secs. 23-34—23-50. - Reserved.

ORDINANCE NO. 350

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS AMENDING SECTION 1-6 "GENERAL PENALTY; CONTINUING VIOLATIONS", OF THE KENNEDALE CITY CODE (1991), AS AMENDED; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council desires to remove the requirement for a culpable mental state in order to prove violations of certain city ordinances and code provisions and to provide for other enforcement of the city ordinances.

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

SECTION 1.

Section 1-6 "General penalty; continuing violations" of the Kennedale City Code (1991), as amended, is hereby amended to read as follows:

Sec. 1-6. General penalty; continuing violations

- (a) Whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this code or any ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefore, the violation of any such provisions of this code or any such ordinance shall be punished by a fine not exceeding five hundred dollars (\$500.00); provided, however, that the fine or penalty for the violation of a rule, ordinance or police regulation that governs fire safety, zoning or public health and sanitation including the dumping of refuse shall not exceed two thousand dollars (\$2,000.00). Notwithstanding the above, no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

- (b) Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense.
- (c) In the event that any such violation is designated as a nuisance under the provisions of this code or any ordinance, such nuisance may be summarily abated by the city. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.
- (d) It is the city's intention to dispense with any mental element from the definition of any prohibited act, offense, or misdemeanor in this code or in any ordinance of the city for which the punishment is by a fine not exceeding five hundred dollars (\$500.00) or whenever in this code or any ordinance the doing of any act is required or the failure to do any act is declared to be unlawful and the punishment is by a fine not exceeding five hundred dollars (\$500.00). No culpable mental state will be required to prove such a violation of this code or any ordinance of the city.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and the Code of the City of Kennedale, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and Code, in which event the conflicting provisions of such ordinances and Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, penalty clause, publication clause and effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

SECTION 5.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED ON THIS 14 DAY OF SEPTEMBER, 2006.



ATTEST:

Bryan Laukhorst
MAYOR

Kathy Sawyer
CITY SECRETARY

EFFECTIVE: 9.29.2006

APPROVED AS TO FORM AND LEGALITY:

W. O. R.
CITY ATTORNEY

APPENDIX G Adoption of Water Conservation Plan
Municipal Ordinance Adopting Water Conservation Plan

ORDINANCE NO. 689

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS ADOPTING A WATER CONSERVATION PLAN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas (the "City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, per the Texas Administrative Code, retail public water suppliers shall review and update water conservation plans at least every five years; and

WHEREAS, the City of Kennedale Water Conservation Plan has been developed in conformance with state requirements.

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

SECTION 1.

That the City of Kennedale Water Conservation Plan attached hereto as Exhibit "A" is hereby adopted and incorporated herein for all purposes. The City of Kennedale Water Conservation Plan hereby adopted shall replace any previous such plans adopted by the City.

**SECTION 2.
CUMULATIVE CLAUSE**

That this ordinance shall be cumulative of all provisions of all existing ordinances of the City of Kennedale, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 3.
SEVERABILITY CLAUSE**

That it is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.
EFFECTIVE DATE CLAUSE**

That this ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

INCLUDING EXHIBIT "A", PAGE 1 OF 40
0689 CITY OF KENNEDALE, TX 2020

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
KENNEDALE, TEXAS, THIS THE 21ST DAY OF JANUARY, 2020.

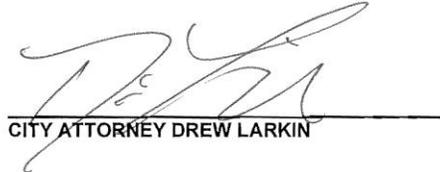
APPROVED:


MAYOR BRIAN JOHNSON

ATTEST:


CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:


CITY ATTORNEY DREW LARKIN

EFFECTIVE DATE:

JANUARY 21, 2020

