ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 15-13 (*REGULATION OF ONSITE WATER REUSE SYSTEMS*) TO ESTABLISH DEVELOPMENT PROJECT REQUIREMENTS AND CLARIFY ONSITE WATER REUSE REGULATIONS.

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

PART 1. FINDINGS.

The Council makes the following findings:

- (A) Given the potential for severe and frequent drought conditions in Central Texas, it is essential that water use policies to conserve water continue to be developed.
- (B) Water conservation efforts, including policies for responsible onsite water reuse systems, help maximize limited resources as the population grows while ensuring supply for critical public health and safety needs, including adequate supplies for emergency fire lighting, fire suppression, and natural disaster or other emergency management response.
- (C) Proper maintenance of onsite water reuse systems is necessary for sanitation and to protect public health as the City's standard means of treatment or disposal through the City's wastewater treatment systems or storm sewers, as applicable, is not being used as the sole or primary means of treatment or disposal.

PART 2. City Code Section 15-13-4 (*Definitions*) is amended to add new definitions of "Large Development Project" and "Small Development Project" to read as follows and to renumber the remaining definitions accordingly.

- (20) LARGE DEVELOPMENT PROJECT has the meaning assigned in Section 25-9-411.
- (38) SMALL DEVELOPMENT PROJECT has the meaning assigned in Section 25-9-411.

2/22/2024 2:37 PM

COA Law Department

1				
31 32 33 34		o add a existing	Code Chapter 15-13 (<i>Regulation of Onsite V</i> new Section 15-13-7 (<i>Development Project</i> g Section 15-13-7, and to renumber the remaingly.	Requirements), to
35	§ 15-13-7 -	DEV	ELOPMENT PROJECT REQUIREMEN	TS.
36 37	(A)		subsection applies to a large development part 4 (Onsite Water Reuse System Requirement)	с с
38 39		(1)	A project applicant shall design and constr by this subsection.	uct the OWRS as required
40 41		(2)	A permittee shall maintain and operate the subsection.	OWRS as required by this
42 43 44		(3)	Except as provided by Subdivision (4), an following non-potable end uses: toilet and washing in washing machines, irrigation, a	urinal flushing, clothes
45 46 47 48		(4)	An OWRS for a project that includes four consisting solely of residential units for wh area ratio is less than one must provide irri- use.	nich the applicable floor-to-
49 50 51		(5)	To the extent required by the water balance the project, rainwater and condensate wate single tank and reused for non-potable use	r must be collected in a
52 53 54	(B)	towe	subsection applies to a small development pers standards of Section 25-12-133 (<i>Local Anhanical Code</i>).	<i>v v v</i>
55 56		(1)	A project applicant shall design and constr by this subsection.	uct the OWRS as required
57 58		(2)	A permittee shall maintain and operate the subsection.	OWRS as required by this
59				
	2/22/2024 2:3	7 PM	Page 2 of 7	COA Law Department

2/22/2024 2:37 PM

Page 2 of 7

COA Law Department

- (3) To the extent required by the water balance calculator approved for the project, the collection and reuse of condensate water shall be used for make-up water for evaporative cooling towers if the small development project includes an evaporative cooling tower system with a combined cooling capacity of 100 tons or more.
- (C) An applicant for a development project described in Subsections (A) or (B) shall use the water balance calculator to prepare a project summary assessing the amount of alternative water produced on site by the required alternative water sources and the amount of alternative water needed to supply the required non-potable uses.
- (D) If, based on the water balance calculator project summary, the available supply from required alternative water sources exceeds the demand from required non-potable uses, 100 percent of that demand shall be met by using the required alternative water sources.
- (E) If, based on the water balance calculator summary, the available supply from required alternative water sources is less than the demand from required non-potable uses, 100 percent of the available supply from required alternative water sources shall be used to meet the demand from required non-potable uses.
- (F) Small or large development projects may use reclaimed water or other allowed alternative water sources specified in Section 15-13-5 (*Allowed Alternative Water Sources*) to meet required non-potable uses required by this section so long as the reclaimed water or other alternative water sources provide an equivalent or greater amount of non-potable water as the required alternative water sources identified in the water balance calculator project summary.
- (G) This subsection applies to small development projects and large development projects.
 - (1) A record owner shall pay a fee, set by separate ordinance, for excess usage of retail water provided by Austin Water.
 - (2) Excess usage of retail water occurs when a development project uses retail water in an amount that exceeds the amount of allowable make-up water.

94 95 96		(3)	A development project's allowable make-up water amount established by the water balance calculated development project.	
97 98 99		(4)	The fee established under this subsection must be Water's cost to provide retail water that is not rec fee.	
100 101	PART 4. amended to	•	Code Section 15-13-9 (Operating Permit Required	; Exceptions) is
102	§ 15-13-9 -	OPEI	RATING PERMIT REQUIRED; EXCEPTIONS	5.
103 104	(A)		pt as provided in Subsection (B), a person may not out an operating permit.	operate an OWRS
105	(B)	An o	perating permit is not required if the OWRS:	
106 107 108 109		[(1) -	is a condensate water, rainwater, stormwater, gray drain water sourced system that is constructed in applicable plumbing codes and used solely for su or for surface non-spray irrigation; or	accordance with
110 111		(2)]is	a legacy system that is not modified or expanded t allowable alternative water source or new allowable	
112 113	(C)	-	rson who operates a legacy system must obtain a pe fying or expanding the legacy system.	rmit before
114	[(D)	This	subsection applies to an OWRS described in Subse	ection (B)(1):
115		(1)	A person shall obtain an approval before installing	; an OWRS.
116 117 118		(2)	A person shall submit an application, a water balance calculator, and any other applicable project information required by the director before installation.]	
119 120	PART 5. amended to		ection (B) of City Code Section 15-13-10 (Permit A	Application) is
121 122	(B)		pplication for an operating permit expires one year ittal if the engineering report has not been approve	
	2/22/2024 2:37	' PM	Page 4 of 7	COA Law Department

Г

I	·			
123		repoi	rt is approved, an application for an operating permit exp	bires three years
124 125		from	the date of approval of the engineering report. A new appreciation expires.	
126 127	PART 6. amended to		ection (A) of City Code Section 15-13-11 (Initial Opera	<i>ting Permit</i>) is
128 129 130 131	(A)	repor accor	director may issue the initial operating permit after the e rt and any updates are approved, if the OWRS is constru- rdance with Title 25 (<i>Land Development Code</i>), the proj the annual permit fee, and the project applicant provides	cted in ect applicant
132 133 134		(1)	a finalized operations and maintenance manual that co requirements set forth in section 15-13-52[4] (<i>Operation Maintenance Manual</i>);	-
135 136 137		(2)	evidence of a contract with the designated treatment sy who meets the requirements in Section 15-13-5 <u>1[θ]</u> (<i>T</i> <i>System Manager Capacity</i>);	0
138 139 140		(3)	evidence of a contract with a certified laboratory to per quality analysis <u>if monitoring and sampling of the OW</u> by Section 15-13-42 (<i>Monitoring and Sampling</i>);	
141 142 143		(4)	evidence of satisfactory performance of an initial cross overseen by certified personnel from Austin Water's S Division or other certified personnel as determined by	pecial Services
144 145 146 147		(5)	a signed and sealed engineer's letter stating that the OV constructed in accordance with the approved engineering professionally sealed plans, specifications, and applications state and local code;	ng report,
148 149 150		(6)	evidence that the OWRS performs consistent with the engineering report if the director issued a conditional p Section 15-13-12[4] (<i>Conditional Permit</i>); and	
151 152 153		(7)	for district-scale projects only, an executed enforceable agreement as described in Section 1 5-13-62[4] (<i>Enford Agreement</i>).	-
154				
	2/22/2024 2:37	РМ	Page 5 of 7	COA Law Department

PART 7.	City Code Section 15-13-23 (Fail-S	Safe Mechani	sms) is amende	d to read:
§ 15-13-23	- FAIL-SAFE MECHANISMS.			
(A)	Each system must be equipped with and non-hazardous automatic shutd used to meet a log reduction target	lown of [the]	any treatment p	process
<u>(B)</u>	For an indoor use, treated water mudistribution tank from the collection and to prevent improperly treated water w	<u>n tank to allo</u>	w for process c	
PART 8. are amended	Subsections (A) and (B) of City Co d to read:	de Section 15	5-13-24 (<i>Flow</i> 1	Meter)
§ 15-13-24	- FLOW METER.			
(A)	An OWRS distribution system that [provides treated water] must include amount of water provided by the O	de a flow me	-	
(B)	A pipeline that provides make-up w <u>city-provided</u> flow meter <u>that is dec</u> <u>amount of make-up water provided</u> <u>non-potable end uses</u> .	dicated solely	to measuring t	he
PART 9. amended to	Table 1 of City Code Section 15-13 read:	3-31 (Water Q	Quality Require	<i>ments</i>) is
§ 15-13-31	- WATER QUALITY REQUIREM	MENTS.		
	Table 1: Pathogen Log I	Reduction Ta	rgets	
	Alternate Water Source	Enteric Virus	Parasitic Protozoa	Bacteria
Condensat	e Water			
Rainwater			<u>1.5</u> [—]	<u> [3.5]</u>
Stormwate	er	3.5	3.5	3.0
Stormwate	er Outdoor Use Only	3.0	2.5	2.0

2/22/2024 2:37 PM

COA Law Department

Foundatio	on Drain Water	3.5	3.5	3.0
Foundatio	on Drain Water Outdoor Use Only	3.0	2.5	2.0
Graywate	er	6.0	4.5	3.5
Graywate	er Outdoor Use Only	5.5	4.5	3.5
PART 10. Manager (Subsections (C) and (D) of Cit Capacity) are amended to read:	y Code Section 15	-13-51 (Treatm	nent Syste
§ 15-13-51	- TREATMENT SYSTEM MA	ANAGER CAPA	CITY.	
(C)	Except as provided in Subsecti qualified if they finish the [mo System operator training or cer <u>director.[through the Water En</u>	st current] Onsite tification [availab	Non-potable W le] <u>required by</u>	/ater
(D)	If the OWRS does not include a reduction target, [Onsite Non-portion or certification through the Wa	otable Water Syst	em operator tra	ining
	available,] a treatment system is affidavit on a form approved by sufficient knowledge, skills, ab OWRS.	manager is qualified the director attes	ed if they sign a sting that they p	an possess
PART 11.	affidavit on a form approved by sufficient knowledge, skills, ab OWRS.	manager is qualifie y the director attes pilities, and trainin	ed if they sign a sting that they p	an possess
	affidavit on a form approved by sufficient knowledge, skills, ab OWRS. This ordinance takes effect on AND APPROVED	manager is qualifie y the director attes ilities, and trainin April 1, 2024. §	ed if they sign a sting that they p	an possess
	affidavit on a form approved by sufficient knowledge, skills, ab OWRS. This ordinance takes effect on	manager is qualifie y the director attes pilities, and trainin April 1, 2024. \$ \$ 	ed if they sign a sting that they p	an possess
PASSED	affidavit on a form approved by sufficient knowledge, skills, ab OWRS. This ordinance takes effect on AND APPROVED, 2024	manager is qualifie y the director attes ilities, and trainin April 1, 2024. § § — — — — — — — —	ed if they sign a sting that they p g to operate the irk Watson	an possess
	affidavit on a form approved by sufficient knowledge, skills, ab OWRS. This ordinance takes effect on AND APPROVED, 2024	manager is qualifie y the director attes pilities, and trainin April 1, 2024. \$ \$ 	ed if they sign a sting that they p g to operate the irk Watson	an possess

I