

31 **PART 3.** City Code Chapter 15-13 (*Regulation of Onsite Water Resuse Systems*) is
32 amended to add a new Section 15-13-7 (*Development Project Requirements*), to
33 renumber existing Section 15-13-7, and to renumber the remaining sections and cross-
34 references accordingly.

35 **§ 15-13-7 - DEVELOPMENT PROJECT REQUIREMENTS.**

36 (A) This subsection applies to a large development project subject to Section 25-
37 9-414 (*Onsite Water Reuse System Requirement*).

38 (1) A project applicant shall design and construct the OWRS as required
39 by this subsection.

40 (2) A permittee shall maintain and operate the OWRS as required by this
41 subsection.

42 (3) Except as provided by Subdivision (4), an OWRS must provide the
43 following non-potable end uses: toilet and urinal flushing, irrigation,
44 and cooling applications.

45 (4) An OWRS for a project that includes four or more multi-family
46 buildings for which the floor-to-area ratio is less than one is only
47 required to provide irrigation as a non-potable end use.

48 (5) To the extent required by the water balance calculator approved for
49 the project, rainwater and condensate water are the only alternative
50 water sources required in the OWRS and must be collected in a single
51 tank and reused for non-potable uses.

52 (B) This subsection applies to a small development project subject to the cooling
53 towers standards of Section 25-12-133 (*Local Amendments to the Uniform*
54 *Mechanical Code*).

55 (1) A project applicant shall design and construct the OWRS as required
56 by this subsection.

57 (2) A permittee shall maintain and operate the OWRS as required by this
58 subsection.

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60 (3) To the extent required by the water balance calculator approved for
61 the project, the collection and reuse of condensate water shall be used
62 for make-up water for evaporative cooling towers if the small
63 development project includes an evaporative cooling tower system
64 with a combined cooling capacity of 100 tons or more.

65 (C) An applicant for a development project described in Subsections (A) or (B)
66 shall use the water balance calculator to prepare a project summary assessing
67 the amount of alternative water produced on site by the required alternative
68 water sources and the amount of alternative water needed to supply the
69 required non-potable uses.

70 (D) If, based on the water balance calculator project summary, the available
71 supply from required alternative water sources exceeds the demand from
72 required non-potable uses, 100 percent of that demand shall be met by using
73 the required alternative water sources.

74 (E) If, based on the water balance calculator summary, the available supply from
75 required alternative water sources is less than the demand from required
76 non-potable uses, 100 percent of the available supply from required
77 alternative water sources shall be used to meet the demand from required
78 non-potable uses.

79 (F) Small or large development projects may use reclaimed water or other
80 allowed alternative water sources specified in Section 15-13-5 (*Allowed*
81 *Alternative Water Sources*) to meet required non-potable uses required by
82 this section so long as the reclaimed water or other alternative water sources
83 provide an equivalent or greater amount of non-potable water as the required
84 alternative water sources identified in the water balance calculator project
85 summary.

86 (G) This subsection applies to small development projects and large
87 development projects.

88 (1) A record owner shall pay a fee, set by separate ordinance, for excess
89 usage of retail water provided by Austin Water.

90 (2) Excess usage of retail water occurs when a development project uses
91 retail water in an amount that exceeds the amount of allowable make-
92 up water.

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94 (3) A development project's allowable make-up water is retail water in an
95 amount established by the water balance calculator approved for the
96 development project.

97 (4) The fee established under this subsection must be based on Austin
98 Water's cost to provide retail water that is not recovered by another
99 fee.

100 **PART 4.** City Code Section 15-13-9 (*Operating Permit Required; Exceptions*) is
101 amended to read:

102 **§ 15-13-9 - OPERATING PERMIT REQUIRED; EXCEPTIONS.**

103 (A) Except as provided in Subsection (B), a person may not operate an OWRS
104 without an operating permit.

105 (B) An operating permit is not required if the OWRS:

106 [~~(1) is a condensate water, rainwater, stormwater, graywater, or foundation~~
107 ~~drain water sourced system that is constructed in accordance with~~
108 ~~applicable plumbing codes and used solely for subsurface irrigation,~~
109 ~~or for surface non-spray irrigation; or~~

110 ~~(2)] is a legacy system that is not modified or expanded to include a new~~

111 allowable alternative water source or new allowable end use.

112 (C) A person who operates a legacy system must obtain a permit before
113 modifying or expanding the legacy system.

114 [~~(D) This subsection applies to an OWRS described in Subsection (B)(1):~~

115 ~~(1) A person shall obtain an approval before installing an OWRS.~~

116 ~~(2) A person shall submit an application, a water balance~~
117 ~~calculator, and any other applicable project information~~
118 ~~required by the director before installation.]~~

119 **PART 5.** Subsection (B) of City Code Section 15-13-10 (*Permit Application*) is
120 amended to read:

121 (B) An application for an operating permit expires one year from the date of
122 submittal if the engineering report has not been approved. If the engineering

123 report is approved, an application for an operating permit expires three years
124 from the date of approval of the engineering report. A new application is
125 required if the application expires.

126 **PART 6.** Subsection (A) of City Code Section 15-13-11 (*Initial Operating Permit*) is
127 amended to read:

- 128 (A) The director may issue the initial operating permit after the engineering
129 report and any updates are approved, if the OWRS is constructed in
130 accordance with Title 25 (*Land Development Code*), the project applicant
131 pays the annual permit fee, and the project applicant provides:
- 132 (1) a finalized operations and maintenance manual that complies with the
133 requirements set forth in section 15-13-52[±] (*Operations and*
134 *Maintenance Manual*);
 - 135 (2) evidence of a contract with the designated treatment system manager
136 who meets the requirements in Section 15-13-51[θ] (*Treatment*
137 *System Manager Capacity*);
 - 138 (3) evidence of a contract with a certified laboratory to perform water
139 quality analysis if monitoring and sampling of the OWRS is required
140 by Section 15-13-42 (*Monitoring and Sampling*);
 - 141 (4) evidence of satisfactory performance of an initial cross connection test
142 overseen by certified personnel from Austin Water's Special Services
143 Division or other certified personnel as determined by the director;
 - 144 (5) a signed and sealed engineer's letter stating that the OWRS was
145 constructed in accordance with the approved engineering report,
146 professionally sealed plans, specifications, and applicable sections of
147 state and local code;
 - 148 (6) evidence that the OWRS performs consistent with the approved
149 engineering report if the director issued a conditional permit under
150 Section 15-13-12[±] (*Conditional Permit*); and
 - 151 (7) for district-scale projects only, an executed enforceable legal
152 agreement as described in Section 15-13-62[±] (*Enforceable Legal*
153 *Agreement*).

155 **PART 7.** City Code Section 15-13-23 (*Fail-Safe Mechanisms*) is amended to read:

156 **§ 15-13-23 - FAIL-SAFE MECHANISMS.**

- 157 (A) Each system must be equipped with features that allow for a controlled
158 and non-hazardous automatic shutdown of ~~[the]~~ any treatment process
159 used to meet a log reduction target in the event of a malfunction.
- 160 (B) For an indoor use, treated water must be stored in a separate
161 distribution tank from the collection tank to allow for process control
162 and to prevent improperly treated water from being sent to an end use.

163 **PART 8.** Subsections (A) and (B) of City Code Section 15-13-24 (*Flow Meter*)
164 are amended to read:

165 **§ 15-13-24 - FLOW METER.**

- 166 (A) An OWRS distribution system that provides water to a required end use
167 [provides treated water] must include a flow meter to measure the
168 amount of water provided by the OWRS.
- 169 (B) A pipeline that provides make-up water to an OWRS must include a
170 city-provided flow meter that is dedicated solely to measuring the
171 amount of make-up water provided to the OWRS to meet the required
172 non-potable end uses.

173 **PART 9.** Table 1 of City Code Section 15-13-31 (*Water Quality Requirements*) is
174 amended to read:

175 **§ 15-13-31 - WATER QUALITY REQUIREMENTS.**

176 Table 1: Pathogen Log Reduction Targets

Alternate Water Source	Enteric Virus	Parasitic Protozoa	Bacteria
Condensate Water or Any Allowed Alternate Water Source Used Solely for Subsurface or Non-spray Irrigation	--	--	--
Rainwater	--	<u>1.5</u> [-]	-- [3.5]
Stormwater	3.5	3.5	3.0

