



City of Austin

Recommendation for Action

File #: 24-4420, **Agenda Item #:** 6.

5/2/2024

Posting Language

Approve an ordinance amending water conservation and drought contingency regulations in Chapter 6-4 (*Water Conservation*), clarifying when an administrative review is allowed for certain Austin Water actions related to water conservation and drought contingency, modifying penalties for water conservation and drought contingency violations enforced using Chapter 2-13 (*Administrative Adjudication of Violations*), and requiring payment of a non-compliance fee under certain circumstances. Related to Item #4 and #5.

Lead Department

Austin Water.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

August 16, 2012 - Council approved an ordinance repealing and replacing Chapter 6-4 of the City Code related to water use management.

May 5, 2016 - Council approved Resolution No. 20160505-0004, adopting a new Drought Contingency Plan and applicable revisions to the City Code, Chapter 6-4 (Water Conservation).

December 10, 2020 - Council approved Ordinance No. 20201210-007, adopting updates to City Code Chapter 6-4 (Water Conservation).

May 5, 2022 - Council approved Ordinance No. 20220505-003, adopting new penalties related to violations of City Code, Chapter 2-13 (Administrative Adjudication of Violations) and Chapter 6-4 (Water Conservation).

For More Information:

Blanca Madriz, Austin Water Program Coordinator, 512-972-0115, blanca.madriz@austintexas.gov.

Additional Backup Information:

The City's Water Conservation Plan (WCP) and Drought Contingency Plan (DCP) are required to be updated on a 5-year cycle in alignment with state requirements. Council will consider approving the 2024 WCP and DCP as part of multiple related items on the same agenda. The City's updated WCP and DCP will comply with changes made to the Lower Colorado River Authority DCP.

This ordinance codifies changes necessary to implement the updated 2024 WCP and DCP. If approved, this ordinance will amend City Code Chapter 6-4 (Water Conservation), City Code Section 2-13-24 (Water Conservation Penalty), and City Code Section 15-9-191 (Administrative Review). The amendments to City Code Chapter 6-4 (Water Conservation) address the restrictions described in the City's WCP and DCP. The amendments to City Code Section 2-13-24 modify penalty ranges and adds new penalty ranges for violations of Chapter 6-4. Lastly, the amendment to Section 15-9-191, which addresses administrative reviews, removes

the out-of-date reference to Chapter 6-4. This ordinance adds a new section to Chapter 4-6 to address administrative review unrelated to enforcement.

Recommended Changes to City Code:

- Amend Section 2-13-24 (Water Conservation Penalty) to include water waste (including irrigation) penalty ranges and to adjust existing penalty ranges for certain water conservation violations.
- Amend Chapter 6-4 (Water Conservation) to:
 - Revise and amend definitions;
 - Clarify existing Code language and requirements;
 - Include additional restrictions required by LCRA, as well as restrictions proposed by Austin Water; and
 - Replace the automatic exemption of athletic fields with a variance process for field irrigation in some instances.
- Amend Chapter 15-9 (Utility Service Regulations) to clarify the applicability of the administrative review process to Chapter 6-4 (Water Conservation).