

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 6-4 OF THE CITY CODE TO PROVIDE FOR NEW WATER RESTRICTIONS FOR DRIP IRRIGATION SYSTEMS; CREATE EXEMPTIONS FROM CERTAIN WATER CONSERVATION AND DROUGHT RESPONSE REGULATIONS RELATED TO DRIP IRRIGATION; PROVIDE FOR THE HOURS OF OPERATION OF SPLASH PADS DURING CERTAIN DROUGHT RESPONSE STAGES; AND ENACT OTHER RELATED PROVISIONS.

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

PART 1. City Code Section 6-4-2 (*Definitions*) is amended to amend the definition for “public school” to read:

§ 6-4-2 DEFINITIONS.

- (42) PUBLIC SCHOOL means a [public] school offering instruction at the elementary school level or the junior and senior high school levels and in the branches of learning and study required to be taught in the public schools of the state. The term includes an open enrollment charter school as defined under the Texas Education Code.

PART 2. Subsection (B) of City Code Section 6-4-12 (*Water Waste Prohibited*) is amended to read:

§ 6-4-12 WATER WASTE PROHIBITED.

(B) A person may not:

- (1) fail to repair a controllable leak, including a broken sprinkler head, a broken drip irrigation line, a broken pipe or a leaking valve;
- (2) operate an irrigation system with:
 - (a) a broken head;
 - (b) a head that is out of adjustment and the arc of the spray head is over a street, parking area, or other impervious surface; or
 - (c) a head that is misting because of high water pressure;
- (3) allow water flow during irrigation that:

- 30 (a) runs, flows, or streams in a way that extends into a street, parking area,
31 or other impervious surface for a distance of 50 feet or greater; or
- 32 (b) allows water to pond to a depth greater than 0.25 inch in a street,
33 parking area, or on other impervious surfaces; or
- 34 (4) operate a cooling tower:
- 35 (a) in a manner that allows an overflow from the cooling tower basin to
36 occur; or
- 37 (b) without a functioning drift eliminator.

38 **PART 3.** Subsection (E) of City Code Section 6-4-13 (*Water Conservation Guidelines*)
39 is repealed and replaced to read:

40 **§ 6-4-13 WATER CONSERVATION GUIDELINES.**

41 (E) Any outdoor water use subject to this chapter shall occur only on a day
42 designated for the applicable water use activity, property/facility type, and
43 street number address classification indicated in the following table. A
44 person may not conduct, authorize, or permit outdoor water use except in
45 accordance with the designation schedule set out in the following table.
46 Except as provided in Section 6-4-14 (*Exemptions*) for hand-held hoses, a
47 person irrigating using automatic or manual irrigation may not irrigate by
48 hose-end in addition to operating their irrigation system on their designated
49 day. In the following table, "EVEN" or "ODD" correspond to the street
50 number of the physical property address where the outdoor water use occurs.
51 The table below shall be referred to as "the Outdoor Water Use Schedule".

Conservation Stage and Drought Response Stage 1 Watering Schedule		
Property & Irrigation Type	Address	Watering Day
Public Schools, College/University, Homeowners Associations & Golf Course Fairways - Automatic & Manual	ALL	Monday
Public Schools, College/University, Homeowners Associations & Golf Course Fairways- Drip	ALL	Monday and Thursday

Commercial/Multi-family - Drip	ALL	Tuesday and Friday
Commercial/Multi-family - Automatic & Manual	EVEN	Tuesday
Commercial/Multi Family - Automatic & Manual	ODD	Friday
Residential - Automatic & Manual	ODD	Wednesday
Residential - Hose-end & Drip	ODD	Wednesday and Saturday
Residential - Automatic & Manual	EVEN	Thursday
Residential - Hose-end & Drip	EVEN	Sunday and Thursday

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Drought Response Stage 2 Watering Schedule		
Property & Irrigation Type	Address	Watering Day
Public Schools, College/University, Homeowners Associations & Golf Course Fairways - Automatic & Manual	ALL	Monday
Public Schools, College/University, Homeowners Associations & Golf Course Fairways- Drip	ALL	Monday and Thursday
Commercial/Multi-family - Automatic & Manual	EVEN	Tuesday
Commercial/Multi-family - Automatic & Manual	ODD	Friday
Commercial/Multi-family - Drip	ALL	Tuesday and Friday
Residential - Automatic & Manual	EVEN	Thursday
Residential - Hose-end	EVEN	Sunday
Residential - Drip	EVEN	Sunday and Thursday
Residential - Automatic & Manual	ODD	Wednesday
Residential - Hose-end	ODD	Saturday
Residential - Drip	ODD	Wednesday and Saturday

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Drought Response Stage 3 and Stage 4 Watering Schedule		
Property & Irrigation Type	Address	Watering Day

Public Schools, College/University, Homeowners Associations & Golf Course Fairways – All Types	ALL	Monday
Commercial/Multi-family - All Types	EVEN	Tuesday
Commercial/Multi-family – All Types	ODD	Friday
Residential – Automatic, Drip & Manual	ODD	Wednesday
Residential – Automatic, Drip & Manual	EVEN	Thursday
Residential - Hose-end	ODD	Saturday
Residential – Hose-end	EVEN	Sunday

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55 **PART 4.** Subsections (B) and (C) of City Code Section 6-4-14 (*Exemptions*) are amended
56 to read:

57 **§ 6-4-14 EXEMPTIONS.**

58 (B) A person is not required to comply with Section 6-4-19 (*Drought Response Stage*
59 *Four Regulations*) when:

- 60 (1) using an automatic bubbler [~~hand held hose or refillable watering vessel to~~
61 ~~apply water within the drip line of the tree canopy, planting beds, vegetable~~
62 ~~gardens, and along building foundations];~~
- 63 (2) using a hand-held hose or refillable watering vessel;
- 64 (3) using a drip irrigation system or a soaker hose, placed within the drip-line of
65 the tree canopy;
- 66 (4) using a drip irrigation system or a soaker hose, for a vegetable garden;
- 67 (5) using water is necessary to test, repair, or install:
- 68 (a) a permanent or temporary landscape irrigation system and the person
69 performing the irrigation work is present in the area of irrigation; or
- 70 (b) an ornamental fountain and the person testing, repairing, or installing
71 the fountain is present;

72 (6[5]) irrigating plant material at a commercial nursery; or

73 (7[6]) irrigating immediately after the application of a commercial lawn treatment,
74 such as fertilizer, pesticides, and herbicides, by an applicator who possesses
75 an appropriate license and complies with a request from the director to
76 provide:

77 (a) receipts that document the application; and

78 (b) the applicator's credentials.

79 (C) A person is not required to comply with Section 6-4-15 (*Water Conservation*
80 *Stage*), Section 6-4-16 (*Drought Response Stage One Regulations*), Section 6-4-17
81 (*Drought Response Stage Two Regulations*), or Section 6-4-18 (*Drought Response*
82 *Stage Three Regulations*) when:

- 83 (1) using an automatic bubbler [~~hand-held hose or refillable watering vessel to~~
84 ~~apply water within the drip-line of the tree canopy, planting beds, vegetable~~
85 ~~gardens, and along building foundations~~];
- 86 (2) using a hand-held hose or refillable watering vessel;
- 87 (3) using a drip irrigation system or a soaker hose, placed within the drip-line of
88 the tree canopy;
- 89 (4) using a drip irrigation system or a soaker hose, for a vegetable garden;
- 90 (5) irrigating plant material at a commercial nursery;
- 91 (6) irrigating immediately after the application of a commercial lawn treatment
92 such as fertilizer, pesticides, and herbicides by an applicator who possesses
93 an appropriate license and complies with a request from the director to
94 provide:
- 95 (a) receipts that document the application; and
- 96 (b) the applicator's credentials; or
- 97 (7) using water is necessary to test, repair, or install:
- 98 (a) a permanent or temporary landscape irrigation system and the person
99 performing the irrigation work is present in the area of irrigation; or
- 100 (b) an ornamental fountain and the person testing, repairing, or installing
101 the fountain is present.

102 **PART 5.** Subsection (C) of City Code Sections 6-4-16 (*Drought Response Stage One*
103 *Regulations*) and 6-4-17 (*Drought Response Stage Two Regulations*) are amended to
104 read:

105 **§ 6-4-16 DROUGHT RESPONSE STAGE ONE REGULATIONS.**

106 (C) A person may not irrigate outdoors with an automatic or drip irrigation system
107 between the hours of 8:00 a.m. and 7:00 p.m., even if the irrigation occurs on the
108 designated outdoor water use day for the location.

109 **§ 6-4-17 DROUGHT RESPONSE STAGE TWO REGULATIONS.**

110 (C) A person may not irrigate outdoors with an automatic or drip irrigation system
111 between the hours of 5:00 a.m. and 7:00 p.m. even if the irrigation occurs on the
112 designated outdoor water use day for the location.

113 **PART 6.** Subsections (C) and (I) of City Code Sections 6-4-18 (*Drought Response Stage*
114 *Three Regulations*) and 6-4-19 (*Drought Response Stage Four Regulations*) are amended
115 to read:

116 **§ 6-4-18 DROUGHT RESPONSE STAGE THREE REGULATIONS.**

117 (C) A person may not irrigate outdoors with an automatic or drip irrigation system
118 between the hours of 6:00 a.m. and midnight even if the irrigation occurs on the
119 designated outdoor water use day for the location.

120 (I) A person may not operate a splash pad except between [during] the hours of 9:00
121 a.m. and 8:00 p.m. [and subject to the restrictions set forth in a rule adopted
122 pursuant this chapter.]

123 **§ 6-4-19 DROUGHT RESPONSE STAGE FOUR REGULATIONS.**

124 (C) A person may not irrigate outdoors with an automatic or drip irrigation system
125 between the hours of 6:00 a.m. and midnight even if the irrigation occurs on the
126 designated outdoor water use day for the location.

127 (I) A person may not operate a splash pad except between [during] the hours of 9:00
128 a.m. and 8:00 p.m. [and subject to the restrictions set forth in a rule adopted
129 pursuant this chapter.]

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PART 7. This ordinance takes effect on _____, 2024.

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PASSED AND APPROVED

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_____, 2024

§ _____

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Kirk Watson
Mayor

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APPROVED: _____

ATTEST: _____

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Deborah Thomas
Interim City Attorney

Myrna Rios
City Clerk

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