

Part II Drought Preparedness Plan

2.0 Requirement by House Bill 2277

This is Part II of the System Water Plan passed by the legislature in 2005 requiring all water supply systems to develop a Drought Preparedness Plan.

2.1 Declaration of Policy, Purpose, and Intent:

Drought and a number of other uncontrollable circumstances can disrupt the normal availability of the Town's water supply. Even though the Town may have an adequate water supply, the supply could become contaminated, or a disaster could destroy the utility infrastructure needed to transport, treat and distribute water to customers. Although water emergencies may not be the result of a drought condition, for the purposes of this plan they are referred to as a Drought Preparedness Plan or water emergency condition.

This Drought Preparedness Plan describes the conditions that require short-term water demand management in the Town of Taylor and establishes policies and procedures that offer strategies for a timely and effective water management response. Such a response is needed when water use in an area approaches the system's supply, treatment, or delivery capacity. Examples include drought conditions, unusually high water demands, unforeseen equipment/system failure, or contamination of a water supply source.

In order to conserve the available water supply and protect the integrity of water supply facilities with regard for domestic water use, sanitation, and fire protection, and protect and preserve public health, welfare, safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Town of Taylor hereby adopts the following regulations and restrictions on delivery and consumption of water.

Water uses regulated or prohibited under this Drought Preparedness Plan are considered non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions constitute a waste of water, which subjects the offender(s) to penalties as defined in this Plan.

2.2 Public Education

Successful implementation of the Drought Preparedness Plan depends on the effective communication with the public. Taylor officials must exchange ideas with the public to understand the needs and determine what water uses are most essential. The public must believe that the measures adopted are credible. A public awareness and education campaign will be successful if it conveys that:

- The water management condition is real.
- Reductions in water demand are necessary.
- The adopted measures realistically correspond to the severity of the situation.
- All Customers share the inconvenience during water shortages.
- The Town of Taylor is effectively managing the existing water supply.

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To accomplish these five objectives, the Town will take the following steps during drought or water emergency conditions:

- Alert the public and keep the public regularly informed through local media.
- Initiate public discussions when appropriate.
- Promote public understanding of the Drought Preparedness Plan and convey restrictions required should the situations worsen.
- Educate the public about ways to use water more efficiently.
- Gather public support for the plan's actions.
- Highlight the leadership role of the town government to save water.

The campaign will work to gather support from various forms of news media to successfully keep the public informed. Once initiated, and especially during stages III and IV, the Town and the news media will provide regular alerts to successfully implement public awareness and education.

News Media:

- Radio and television public service announcements.
- Newspaper announcements.
- Interviews on radio and television programs.
- Newspaper articles.
- Press releases

Communications:

- Post on Town website of the current stage and restrictions that apply.
- Telephone notifications to large water use customers when applicable.
- Water bill inserts or messages.
- Prepare fact sheets for distribution at local businesses.
- Mail notices to all users, if needed before or after waters bills have been mailed.
- Post signs and notices (e.g., city hall, post office, parks, and other public places).

Community Involvement:

- Public meetings and hearings.
- Public education seminars (with various clubs and Chamber of Commerce)
- School programs.

2.3 Procedure Authorization:

The purpose of this ordinance is to establish the Town of Taylor's policy in case of shortages or delivery limitations in the Town's water supply, or in the case of equipment malfunctions or similar emergencies. The Drought Preparedness Plan is adopted and shall be incorporated as if fully set forth and enforceable as part of this ordinance. As required by House Bill 2277 – System Water Plan, the plan shall consist of escalating phases of water use restrictions based on appropriate triggering conditions approved by the Town Council. The plan will provide procedures for voluntary and mandatory actions placed into effect to temporarily reduce the demand placed upon the Town's water supply system during a water shortage.

2.4 Plan Applicability:

This Plan applies to all users, premises, and retail customers receiving water from the Town of Taylor's water system. This plan also insures that the Town of Taylor water utilities will maintain an adequate water supply for essential public needs:

2.5 Triggering Criteria for Initiation and Termination of Drought Response Stages:

Monitor all relevant components of the Town of Taylor water system to ensure that actions taken are based on current and reliable information. Taylor Public Works will monitor the system, at a minimum, on a weekly basis until such point when projections based on past use indicate a trigger could be reached within two weeks. At this time, daily monitoring and reporting to the Town Manager will occur.

Initiation: The Town Manager may order the initiation of the appropriate stage of the Plan. To be effective, public notification must come before actual initiation.

Meeting or exceeding one or more trigger conditions is sufficient cause to initiate a Drought Contingency Plan stage. Factors influencing this decision include, but are not limited to, the time of year, weather conditions, anticipation of replenished water supplies, or anticipation that facilities will come on-line to serve capacity.

Duration, Changes and Extensions: The order can be made effective for up to, but not more than 90 days from the date of communicating a given stage of the plan that requires curtailment of water use by the public (i.e. stages 2, 3 or 4). The Town Manager and Town Council may extend the duration of an order for additional time periods, not to exceed 120 days each.

Termination: When conditions exist to terminate a stage of the plan, the Town Manager may execute the order to terminate the appropriate stage of the Plan.

Termination of any stage will occur if the corresponding drought preparedness condition has subsided or been eliminated and if the corresponding trigger condition is no long needed and would be unlikely to recur upon termination.

Public Notification: The following procedures are required to initiate or cancel each stage of the Drought Contingency Plan:

- Notification by public announcement via electronic media.
- Notification published in newspapers of general circulation to the town within 24 hours after the public announcement.
- The order becomes effective immediately upon publication.

Arizona Department of Water Resources Notification: The Town of Taylor will notify the executive director of the Arizona Department of Water Resources within five business days of the implementation of any mandatory provision of the Drought Contingency Plan (stages 2, 3 or 4).

2.6 Four Stages of the Drought Contingency Plan: Proactive management is the best way to lessen the potential impact of a drought contingency situation on the citizens of Taylor. The Town of Taylor has established four successive stages to implement progressively stringent management measures. Meeting or exceeding the water-reductions goals in the early stages

reduces or eliminates the need to progress to later stages. The entire public benefits if the Town takes responsible action in the early stages of a Drought Contingency situation. The Town uses three distinct types of water shortage situation to establish the trigger conditions listed below:

Trigger conditions: The trigger conditions for each of the three types of water management conditions and each of the four water management plan stages are provided in Table 2.1. Table 2.1 shows the rationale for each trigger condition.

- For a *Type A* situation, preservation of the total water supply will be critical and corresponding water management measures should stress overall reductions in water use. An extended drought causes this condition. The best opportunity to respond to a drought is early in the drought cycle. Drought Contingency measures should stress overall reductions in water demand (i.e., average-day water demand).
- For a *Type B* situation, in which the water demand approaches the delivery capacity of the system, the peak water demand will be critical, and corresponding drought preparedness measures should stress water-use reductions or shifts to off-peak hours. In this situation, the ultimate goal of Stages 1, 2, and 3 will be to avoid triggering the next stage. A Stage 4 trigger requires immediate and severe water demand reductions. Equipment or system failures that result from increased stresses to the transmission, treatment, or distribution systems can worsen a Type B situation. An increase in water demand causes this condition. In the short term, this typically occurs during the summer months when irrigation requires more water. In the long term, it could occur if treatment plant or distribution system expansions do not keep pace with the growth in consumer demand. Drought contingency measures should stress reductions in peak water demand or redistribution of the demand to off-peak hours.
- For a *Type C* situation where deficiencies limit the supply capacity, both water-use reductions and shifts to off-peak hours may be necessary. Although the area involved may be localized, immediate action requiring water demand reduction is necessary. Depending upon the severity of the triggering conditions, it is feasible that the plan could proceed immediately to implementation of stage 3 or stage 4. A break in a large transmission main, mechanical failure to one or more large pumps, or the collapse of a well causes this condition. Contamination of water supplies or other unforeseen occurrences may also instigate this condition. They may arise with little warning and require immediate and/or aggressive actions. Drought contingency measures should stress reductions in peak water demand or redistribution of the demand to off-peak hours.

Table 2.1 Summary of Town of Taylor Water Utilities Trigger Conditions

Type of Water Management Condition	Stage 1 Water Awareness	Stage 2 Water Watch	Stage 3 Water Warning	Stage 4 Water Emergency
Type A Water Supplies Are Low	Static water depth testing indicates a drop of more than four feet for any of the three main wells during quarterly testing.	Static water depth testing indicates a drop of more than four feet for two consecutive quarters for any of the three main wells.	Static water depth testing indicates a drop of more than five feet for three consecutive monthly or eight feet or more for any quarterly reading.	Static water depth testing indicates a drop of more than ten feet since previous reading or cumulative readings over one year.
Type B Water Demand Approaches System Capacity	Water demand has reached or exceeded 90% of delivery capacity for 3 consecutive days.	Water demand has reached or exceeded 90% of delivery capacity for 5 consecutive days.	Water demand has reached or exceeded 95% of delivery capacity for 2 consecutive days.	Water demand has reached or exceeded 98% of delivery capacity for 1 consecutive day.
Type C Short-Term Deficiencies Limit Supply Capability	Water demand approaches a reduced delivery capacity for all or part of the system, as determined by Town of Taylor Public Works.	Water demand equals a reduced delivery capacity for all or part of the system, as determined by the Town of Taylor Public Works.	Water demand exceeds a reduced delivery capacity for all or part of the system, as determined by the Town of Taylor Public Works.	Water demand seriously exceeds a reduced delivery capacity for all or part of the system, as determined by the Town of Taylor Public Works.

2.7 Rationale for Trigger Conditions:

- **Type A, Water supplies are low.** Since Taylor obtains water from two main wells, with one well on stand-by and two other wells providing minimal water, from the Coconino aquifer, the Town of Taylor has the ability to balance water supplies, trigger conditions for low water supplies are based on static water depth testing per quarter or if appropriate monthly.
- **Type B, Water demand approaches system capacity.** Base trigger conditions on the available delivery capacity relative to water demand. In most cases, the limiting constraint will be the maximum pump flow relative to water demand. To set the trigger conditions, the Town examined water demand and the system’s delivery capacity. The selected trigger levels provide sufficient time delay between each stage and time to implement measures that correspond with the severity of the capacity shortfall.
- **Type C, Short-Term deficiencies limit supply capability.** The trigger conditions for short-term deficiencies limiting water supply capability are based upon how much water supply or delivery capacity remains available relative to water demand for all or part of the system. Trigger conditions, which will be determined when the deficiency occurs, will be based on the area impacted, existing conditions, and options available within the Taylor Water Utility System at that time.

2.8 Water Management Measures:

Section 2.5 outlined the drought preparedness stages and the monitoring for initiation and termination. This section outlines the responses at each stage. Because the most effective response to a given drought management condition may vary on the type and factors unique to the situation, the Town of Taylor Public Works has prepared menus of possible actions. The Public Works determines appropriate actions before initiation or at any time during a drought preparedness stage.

Each stage is listed below, followed by a brief description of the situation and the type of actions that may be required.

Stage 1, Water Awareness Actions Available: Applied locally or to all customers, as necessary with a 10% desired reduction.

A potentially serious drought preparedness condition exists for all or part of the system. Initiate a public awareness campaign to inform the public that the Town is concerned about water uses and that staff is watching the water sources and evaluating conditions on a daily basis. Encourage public and internal users to voluntarily reduce water consumption. Encourage town government to take the lead by reducing water use.

Mandatory Restrictions:

- a) *Internal: (i.e. Town of Taylor Municipal uses only)*
 - No internal mandatory restrictions required.
- b) *Retail Customers:*
 - No mandatory restrictions required.

Voluntary Requests

- a) *Internal: (i.e. Town of Taylor Municipal uses only)*
 - Staff will begin review of the problems initiating Stage 1 actions and will identify possible solutions to address the water shortage.
 - Seek voluntary reductions from interruptible customers per rate ordinance or contract terms.
 - Request leak detection and repairs within the distribution system be intensified.
 - Encourage reductions in landscape watering for parks and golf courses.
 - Flush only mains that are essential for water quality maintenance and new construction.
 - Restrict Fire Department Hydrant Flow Testing.
- b) *Retail Customers:*
 - Encourage reductions in water usage by avoiding excessive run-off from landscaped areas, the hosing off of paved areas, the frequency of draining and filling of , hot tubs and spas and other recreational water users.
 - Encourage efficient use of water for all essential uses.

Notifications:

a) Internal: (i.e. Town of Taylor Municipal uses only)

- Notify staff and follow-up memo, of Water Watch Stage #1 and request voluntary water use reduction. Stress voluntary elimination of non-essential uses.

b) External Customers:

- Issue press release describing Water Watch Stage #1 and the voluntary restrictions that apply.
- Distribute water conservation materials to elementary and intermediate schools, frequented businesses and community groups if appropriate.
- Post Water Watch notices at public buildings including town buildings, post office and historical society.
- Water customers requested to practice water conservation and minimize or discontinue water use for nonessential services.
- Encourage reduction of water use through the publication of the voluntary landscape watering schedule and request watering only during off-peak hours.
- Initiate public education campaign teaching and encouraging reduced water use practices.

Penalties:

No penalties enforced at this time.

Stage 2, Water Watch Actions Available Applied locally or to all customers, as necessary with a desired 10% to 20% reduction.

This situation has worsened and calls for an internal restriction on outdoor water use. The public is encouraged to conserve water on a voluntary basis and use ALL water efficiently.

Mandatory Restrictions:

a) Internal: (i.e. Town of Taylor Municipal uses only)

- Monthly static testing will be conducted.
- Staff continues to review the problems, which initiated the Stage 2 actions. Identifies and implements possible solutions to address the water shortage.
- Department staffs implement a self audit and limit computerized water usage of town owned recreation areas by 10% to 20% on the posted five-day watering schedule.
- Washing of any town vehicle, or equipment be limited to the 5-day watering schedule.
- Prohibit excessive water run-off from any landscaped area onto streets, alleys, or parking lots. Run-off is excessive when it goes ten (10) feet beyond the property line.
- Prohibit hosing off paved areas, buildings, windows, or other surfaces.
- Use of water from fire hydrants limited to fire fighting, essential distribution system maintenance and related activities.
- Intensify leak detection and repair activities on water pipes and mains.
- Restrict the flushing of fire hydrants, blow offs and service connections for new main construction by special permit only.

b) Retail Customers:

- No mandatory retail customer restrictions apply at this time.

Voluntary Requests

a) *Internal: (i.e. Town of Taylor Municipal uses only)*

- Mandatory restrictions apply.

b) *Retail Customers:*

- Request that all automatic landscape watering be limited to the five-day schedule as posted. Watering with a hand-held hose or bucket can be done anytime.
- Request that washing of any motor vehicle, bike, trailer, boat or airplane be limited to the 5-day watering schedule.
- Request that use of water to fill, refill, or add to an indoor or outdoor swimming, wading, or Jacuzzi pools be limited to the 5-day schedule.
- Request that hosing off paved areas, buildings, windows, or other surfaces as well as operation of aesthetic ornamental fountains be limited to the 5-day schedule.
- Request that restraints only serve water to customers that request water rather than providing it to all customers independent of need or desire.
- Encourage efficient use of water for all essential uses.
- Use of construction water is curtailed as much as possible.

Notifications:

a) *Internal: (i.e. Town of Taylor Municipal uses only)*

- Notify all departments of Water Watch Stage #2 and the water use restrictions under this stage. Instruct them to implement restrictions on non-essential uses.
- Distribute water emergency plan details, posters and handouts to businesses, and public entities.

b) *Retail Customers:*

- Arizona Department of Water Resources notified of stage 2 restrictions.
- Issue press release to area media describing Water Watch Stage #2 and the water use restrictions under this stage. Keep media updated on the water situation.
- Accelerate public education campaign to promote and encourage efficient water use.

Penalties:

- No Penalties enforced at this time.

Internal (Town of Taylor) landscape and vehicle washing activities beginning in Stage 2 shall be limited to once every five (5) days based on the last digit of the address per the schedule below:

Table 2.2 Stage 2 and 3 five-day Watering Schedule

Last Digit of Address	Allowed Water Dates
0 or 5	5 th , 10 th , 15 th , 20 th , 25 th , 30 th
1 or 6	1 st , 6 th , 11 th , 16 th , 21 st , 26 th
2 or 7	2 nd , 7 th , 12 th , 17 th , 22 nd , 27 th
3 or 8	3 rd , 8 th , 13 th , 18 th , 23 rd , 28 th
4 or 9	4 th , 9 th , 14 th , 19 th , 24 th , 29 th

Stage 3, Water Warning Actions Available. Applied locally or to all customers, as necessary with a desired 20% to 30% reduction.

The situation has deteriorated further, and it is necessary to implement mandatory external and internal restrictions to protect public health and safety. Use stronger language to intensify public awareness and alert the public of the potential severity of the water shortage. Impose 20% surcharge penalty for residential customers water use above 10,000-gallons per meter connection per 30-day period. Impose a 20% surcharge penalty for commercial and industrial customers for monthly water use above 75% of prior billing volumes for a 30-day period.

Mandatory Restrictions:

a) Internal: (i.e. Town of Taylor Municipal uses only)

- Staff continues to review the problems, which initiated the Stage 3 actions and identifies and implements possible solutions to address the water shortage. Irrigation of landscaped areas is limited to the designated 5-day schedule between 9 pm and 9 am.
- Use of water to wash any Town motor vehicle not occurring at a commercial car wash and not in the interest of public health, safety, or welfare is prohibited. Washing at commercial car washes shall occur between 9 pm and 9 am.
- Town nurseries shall water plant stock only with low-volume drip emitter systems between 9 pm and 9 am on the 5-day watering schedule.
- Use of water from fire hydrants is limited to fire fighting, essential distribution system maintenance and related activities.
- Department staffs implement a self audit and limit computerized water usage of town owned recreation areas by 20 to 30 percent between the hours of 9 pm and 9 am on the posted 5-day watering schedule. Watering with a hand-held hose, or bucket can be done anytime.
- Prohibit excessive water run-off from any town-owned landscaped area onto streets, alleys, or parking lots through code enforcement warnings. Run-off is excessive when it extends ten (10) feet beyond the driveway and into the street.
- Discontinue use of water for new water line construction purposes from fire hydrants, blow offs and service connections.

b) Retail Customers:

- Irrigation of landscaped areas is limited to the designated 5-day schedule between 9 pm and 9 am.
- Use of water to wash any motor vehicle, motorbike, boat trailer, airplane etc. not occurring at a commercial car wash and not in the interest of public health, safety, or welfare is prohibited. Washing at commercial car washes shall occur between 9 pm and 9 am.
- Residents shall use hand-held hoses to maintain operation for existing , Jacuzzis, spas, ornamental ponds, fountains and foundations on the posted 5-day watering schedule between 9 pm and 9 am.
- Nurseries shall water plant stock only with low-volume drip emitter systems between the hours of 9 pm and 9 am on the 5-day watering schedule.
- Prohibit excessive water run-off from any landscaped areas onto streets, alleys, or parking lots through code enforcement warnings. Run-off is excessive when it extends beyond the driveway and into the street.

- Prohibit permitting of new , jacuzzis, spas, ornamental ponds, or fountain construction, except those previously permitted or under construction when Stage 3 restrictions begin. Initial filling of sites permitted (one time) after completing construction.
- Service to interruptible customers is temporarily suspended, including construction water.

Voluntary Requests

a) Internal: (i.e. Town of Taylor Municipal uses only)

- All restrictions are mandatory.

b) Retail Customers:

- Request that restaurants only serve water to customers that request water rather than providing it to all customers independent of need or desire.
- Encourage sufficient use of water for all essential uses.

Notifications:

a) Internal: (i.e. Town of Taylor Municipal uses only)

- Notify all departments of Water Watch Stage #3 and the water use restrictions under this stage. Instruct them to implement restrictions on non-essential uses including street and vehicle washing and operation of ornamental fountains, and to implement restrictions on essential uses.
- Distribute water emergency plan details, posters and handouts to businesses, and public entities.

b) Retail Customers:

- Arizona Department of Water Resources notified of stage 3 restrictions.
- Issue press release to area media describing Water Watch Stage #3 and the water use restrictions under this stage. Keep media updated on the water situation.
- Accelerate public education campaign to promote and encourage efficient water use.
- Post Water Watch notices at public buildings including Town Hall, Post Office, Museum and other public buildings.

Penalties:

- Initiate a 20% rate increase for residential customers for water usage greater than 10,000-gallons per account per 30 days.
- Impose a 20% surcharge penalty for commercial and industrial customers for monthly water use above 75% of prior billing volumes for a 30-day period.
- Initiate code enforcement fines for any violation of the Drought Preparedness Plan.

Stage 4, Water Emergency Actions Available Applied locally or to all customers, as necessary with a desired 40% or greater reduction.

The situation is critical and it is necessary to implement a total ban on all outside watering. The public awareness campaign emphasizes the need for extreme measures and stiff penalties.

Impose 20% surcharge penalty for residential customer use above 6,000-gallons per meter connection per 30-day period. Impose a 20% surcharge penalty for commercial and industrial customers for monthly water use above 60% of prior billing volumes for a 30-day period.

Mandatory Restrictions:

a) Internal: (i.e. Town of Taylor Municipal uses only)

- Staff continues to review the problems, which initiated the Stage 4 actions and identifies and implements possible solutions to address the water shortage.
- Prohibit use of water from fire hydrants to fire fighting, essential distribution system maintenance and related activities.
- Prohibit all town use of watering for landscape purposes.
- Prohibit all washing and rinsing of town vehicles regardless of the location.
- Prohibit use of hose end sprinkler or automatic sprinkler systems.

b) Retail Customers:

- Prohibit all commercial and residential landscape watering.
- Prohibit all washing and rinsing of vehicles regardless of the location.
- Nurseries shall water plant stock only between the hours of 9 pm and 9 am. They must adhere to the 5-day watering schedule.
- Residents shall limit foundation watering to a two hour period on the 5-day rotational schedule between 9 pm and 9 am with soaker or hand held hose only.
- Prohibit permitting of new hot tubs, spas, ornamental ponds, and fountain construction.
- Service to interruptible customers is temporarily suspended.

Voluntary Requests

a) Internal: (i.e. Town of Taylor Municipal uses only)

- All restrictions are mandatory.

b) Retail Customers:

- Request a 25% reduction of indoor water uses.
- Request that restaurants only serve water to customers that request water rather than providing it to all customers independent of need or desire.
- Encourage efficient use of water for all essential uses.
- Seek voluntary reductions from interruptible customers per rate ordinance or contract terms.

Notifications:

a) Internal: (i.e. Town of Taylor Municipal uses only)

- Notify all departments of Water Watch Stage #4 and the water use restrictions under this stage. Instruct them to implement restrictions on non-essential uses including street and vehicle washing and operation of ornamental fountains, and to implement restrictions on essential uses.
- Distribute water emergency plan details, posters and handouts to businesses, and public entities.

b) Retail Customers:

- Arizona Department of Water Resources notified of stage 4 restrictions.
- Issue press release to area media describing Water Watch Stage #4 and the water use restrictions under this stage. Keep media updated on the water situation.
- Accelerate public education campaign to promote and encourage efficient water use.
- Post Water Watch notices at public buildings including Town Hall, Post Office, Museum and other public buildings.

Penalties:

- Impose a 20% rate increase for residential customers for water usage greater than 6,000-gallons per account per 30 days.
- Impose a 20% surcharge penalty for commercial and industrial customers for monthly waster use above 60% of prior billing volumes for a 30-day period.
- Initiate code enforcement fines for any violation of the Drought Preparedness Plan.

2.9 Water Use:

Retail Customers: During Stages 3 and 4 of the Drought Preparedness Plan, the Town may impose a retail water rate increase to discourage water use. Rates for residential customer usage more than 10,000-gallons per 30 days per account in stage 3 or above 6,000-gallons per 30 days per account in stage 4 may be increased by 20 percent (20%), or any other lesser percentage deemed appropriate by the Town Manager. A similar 20 percent (20%) rate increase for commercial and industrial customers may be imposed for use exceeding 75% (stage 3) and 60% (stage 4) of prior billing volumes per 30-day period.

2.10 Enforcement:

Violations: A person commits an offense if he or she knowingly makes, causes, or permits a use of water contrary to the measures implemented in the Drought Preparedness Plan. It is presumed that a person has knowingly made, caused, or permitted use of water contrary to the measures implemented if the mandatory measures have been implemented according to the Plan and any one of the following conditions apply:

- The Drought Preparedness Plan prohibits the manner of use.
- The amount of water used exceed that allowed by the Drought Preparedness Plan.
- The manner of use or the amount used violates the terms and conditions of a compliance agreement made following a variance granted by the Town Manager and/or Council.
- Any person in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for their minor children and proof that a violation, committed by a child, occurred on the property within control of the parents shall constitute a rebuttable presumption that the parent committed the violation. But, any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

- Any Code Enforcement Officer, police officer, or other city employee designated by the Assistant City Manager/Utilities, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in municipal court on the date shown on the citation.

Warnings and Penalties: Stages 3 and 4 of the Drought Preparedness Plan impose mandatory water-use restrictions. The following warnings and penalties will apply to these stages:

- **First Violation:** Customers receive a written warning that they have violated restrictions.
- **Subsequent Violations:** Any person who violates this Plan is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$2,000. Each day that one or more provisions in this Plan is violated shall constitute a separate offense.

Flow restrictors may be placed in lines after two violations have occurred to limit the amount of water passing through the meter in a 24-hour period. Instead of flow restrictors, the Town of Taylor reserves the right to temporarily cancel water service to the customer until the situation can be resolved.

2.9 Variances:

Granting a Variance: The Town Manager may grant variances from the Drought Preparedness Plan in special cases to persons demonstrating extreme hardship and need. In order to obtain a variance, the applicant must sign a compliance agreement on forms provided by the Town of Taylor and approved by the Town Attorney. The applicant must agree to use the water only in the amount and manner permitted by the variance. A variance must meet the following conditions:

- Granting of a variance must not cause an immediate significant reduction in the Town's water supply.
- The applicant must demonstrate that the extreme hardship or need is related to the health, safety, or welfare of the person requesting it.
- The variance will not adversely affect the health, safety, or welfare of other persons. No variance is retroactive nor can it justify any violation of this Drought Preparedness Plan before its issuance.

Revoking a Variance: The Town Manager may revoke a variance granted when the Public Works Director determines any one of the following:

- Conditions causing initial issuance of the variance are no longer applicable.
- Violation of the terms of the compliance agreement.
- The health, safety, or welfare of other persons requires revocation.

2.11 Severability

The Town of Taylor Council agrees that sections, paragraphs, sentences, clauses, and phrases of this Drought Preparedness Plan are severable. If any phrase, clause, sentence, paragraph, or

section of this Drought Preparedness Plan is 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 Drought Preparedness Plan, since the same would not have been enacted by the Town of Taylor Council without the incorporation into this Drought Preparedness Plan of any such unconstitutional phrase clause, sentence, paragraph or section.

The water supply for the Town of Taylor currently consists of three wells, with one backup well and a replacement well to come on within one year. The three wells totaled 811 ac-ft for 2005. Taylor water use went up 124 ac-ft over the previous year. This rate is not expected to continue. Taylor expects to see a growth of Taylor of six percent per year for the next ten years and the water rate to increase between 60 and 79 ac-ft per year.