

018842

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 15.13 (WATER CONSERVATION), SECTION 15.13.020 (MANDATORY COMPLIANCE-LAWN AND LANDSCAPE WATERING) OF THE EL PASO CITY CODE, TO REVISE THE IRRIGATION REQUIREMENTS FOR CITY OF EL PASO PUBLIC PARKS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 15.13.080 OF THE EL PASO CITY CODE.

**WHEREAS**, the City of El Paso ( the "City") seeks to promote healthy outdoor recreational activity to the citizens and visitors of El Paso through the use of its City parks; and

**WHEREAS**, the Water Conservation Ordinance applies mandatory restrictions on all customers of or persons, including the City, who use or receive water from the El Paso Water Utilities Public Service Board ("Public Service Board"); and

**WHEREAS**, the City is committed to saving water and has created a Water Conservation Plan to address the requirements of the Texas Commission on Environmental Quality while providing sufficient irrigation for public use of City parks; and

**WHEREAS**, the proposed amendment enables the City to better operate in compliance with the Water Conservation Ordinance and reach water conservation goals while meeting quality turf objectives for public use of City parks; and

**WHEREAS**, the El Paso City Council, after a public hearing at which the public was allowed to comment on the proposed ordinance amendment, has determined that this amendment will provide for the public health, safety and general welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**SECTION 1.** That Title 15 (Public Services), Chapter 15.13 (Water Conservation), Section 15.13.020 (Mandatory Compliance-Lawn and Landscape Watering), of the El Paso City Code be amended in its entirety and replaced with the following:

The following mandatory restrictions shall apply to all customers of, or persons who use or receive water from the public service board:

- A. All outdoor irrigation of grass, trees, plants or other vegetation on residential and commercial property on the side of the street on which building addresses are even numbered, may be done only Tuesdays, Thursdays and Saturdays; and on the side of the street on which buildings are odd numbered, such vegetation may be irrigated only on Wednesdays, Fridays and Sundays. In case of corner buildings having both odd and even numbers, the number carried on the books of the public service board shall control.

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- B. All outdoor irrigation of grass, trees, plants or other vegetation on industrial properties, parks, golf courses, schools and cemeteries may be permitted only on Mondays, Wednesdays and Fridays. All other properties, not falling within the industrial classifications described in this subsection, shall be considered residential and shall be watered in accordance with the requirements of subsection A of this section.
- C. Outdoor irrigation of grass, trees, plants or other vegetation on City of El Paso parks (with such meter/account under the control and management of the City of El Paso Parks and Recreation Department) may be permitted for more than three days, subject to the submission and approval of an annual Conservation Plan. Time-of-day restrictions apply all year for City parks, with irrigation prohibited from ten a.m. to six p.m. The City of El Paso Parks and Recreation Department will submit the annual Conservation Plan to the Conservation Manager by end-of-January each year. The Plan will consist of:
- Conservation goals and targets; total annual water consumption, volume per developed acre, and any other agreed upon metric;
  - Conservation improvements implemented in prior year; improvements planned for year ahead, consistent with the Texas Water Development Board municipal parks best management practices;
  - Policy statement that any new City parks have been designed to irrigation standards established by the Texas Commission on Environmental Quality; and
  - Special variances needed for the year (watering days, new parks, turf renovation, seeding, etc.).

The Plan will be considered and approved on an annual basis with previous year compliance taken into account as part of the approval process. All outdoor irrigation shall be subject to the drought and water emergency management response plans adopted by the Public Service Board.

- D. From April 1st to September 30th, all outdoor irrigation of vegetation is prohibited between the hours of ten a.m. and six p.m.
- E. The review board of the Public Service Board shall have the authority to review special situations and hardship cases upon application of any person in accordance with the procedures set forth in **Section 15.13.060** of this chapter.

**SECTION 2.** Except as expressly herein amended, Title 15 Public Services, of the El Paso City Code shall remain in full force and effect.

ADOPTED this 4<sup>th</sup> day of September 2018.

(Signatures on the following page)

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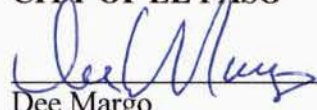
Lawn and Landscaping Watering-Title 15 Amendment

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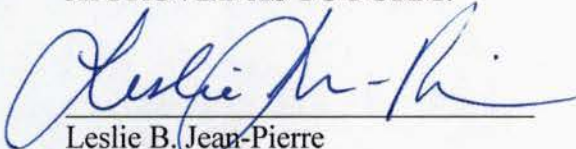
Mayor

ATTEST:



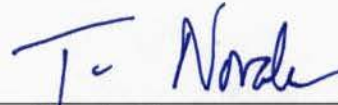
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



Leslie B. Jean-Pierre  
Assistant City Attorney

APPROVED AS TO CONTENT:



Tracy Novak, Director  
Parks and Recreation Department

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