

**ORDINANCE NO. 2011-4-19-2**

**AN ORDINANCE ADOPTING A WATER CONSERVATION PLAN AND  
A PUBLIC EDUCATION PROGRAM TO PROMOTE THE RESPONSIBLE  
USE OF WATER BY THE CITIZENS OF THE VILLAGE OF VINTON, TEXAS**

- WHEREAS,** the Council for the Village of Vinton, Texas (Village) recognizes that the amount of water available to its citizens and customers is limited; and
- WHEREAS,** Village Council recognizes that drought, system failure and acts of God may occur and the Village cannot guarantee an uninterrupted water supply for all purposes at all times; and
- WHEREAS,** the Village Council desires to conserve water resources and prepare for drought; and
- WHEREAS,** the Village Council desires to comply with Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality which requires water conservation plans and adoption of reasonable water conservation measures for all public water supply systems; and
- WHEREAS,** the Village Council desires to comply with the rules of the Texas Water Development Board should it decide to avail itself of various financial assistance programs found in Title 31, Texas Administrative Code Chapter 363; and
- WHEREAS,** pursuant to Chapter 54 of the Local Government Code and in the best interests of its citizens, the Village Council is authorized to adopt Ordinances it deems are necessary and expedient to preserve and conserve its water resources and to prepare for drought; and
- WHEREAS,** the Village of Vinton, its residents and commercial businesses receive retail water services from the El Paso Water Utilities, Vinton Hills Allegre, LLC, Hillside Water Works, private water systems and private wells; and
- WHEREAS,** the Village Council will adopt the applicable portions of the existing water conservation plans of the El Paso Water Utilities, Vinton Hills Alegre, LLC and Hillside Water Works; and
- WHEREAS,** the Village Council will cooperate with all water service providers within the Village of Vinton to further facilitate water conservation; and
- WHEREAS,** the provision of wastewater services for the residents and commercial businesses of the Village of Vinton, Texas is necessary to protect the

public health and the protection of the environment and natural resources of the Village; and

**WHEREAS,** the Village of Vinton is in the process of designing and constructing a wastewater system to provide wastewater services to all residences and businesses within the Village; and

**WHEREAS,** the Village of Vinton will adopt the following non-promotional wastewater service rate structure as a key part of its water conservation plan as provided herein; and

**WHEREAS,** the Village of Vinton will adopt the following Continuing Public Education and Public Information guidelines as another key part of its water conservation plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VINTON, TEXAS, AS FOLLOWS:**

**ARTICLE I. Adoption of Existing Water Conservation Plans**

**Section 1.0**

The Village of Vinton hereby adopts the applicable portions of the existing water conservation plans of the El Paso Water Utilities, Vinton Hills Alegre, LLC and Hillside Water Works.

**ARTICLE II. Non-Promotional Rate Structure.**

**Section 1.0 Non-Promotional Rate Structure**

The Village of Vinton hereby adopts a tiered wastewater rate schedule as a key part of the Water Conservation Plan. The adopted tiered rate schedule promotes conservation by utilizing a tiered rate structure that charges a higher volumetric rate for high wastewater flow customers.

A base volumetric rate will be established for users that will be sufficient to cover variable system operations costs based upon an average anticipated flow per customer. For customers exceeding the base volumetric rate threshold, a higher volumetric rate will be assessed for each unit of 1,000 gallons in excess of the threshold. The higher rate discourage users from generating high wastewater flows and corresponding water demands.

The tiered rate schedule, in accordance with EPA guidelines, will be modified and updated periodically to consider wastewater flow elasticity in determining conservation-oriented pricing. This will be feasible as historical data is acquired over the period of operation of the new system. Consideration of the allocation between fixed and variable charges, usage blocks

and breakpoints, minimum bills and whether wastewater is provided in the minimum bill, seasonal pricing options, and pricing by customer class will be included in future updates.

The Village of Vinton will also consider the effect of introducing a new rate structure on revenues. Conservation-oriented pricing considerations will include certain assumptions (based on the available empirical evidence) about the elasticity of water demand, or the responsiveness of water usage to a change in price. Changes in the rate structure will allow the system to achieve future demand reduction goals while recovering wastewater system costs. In allocating costs, the impact of the rate structure on user flows and revenues for specific customer classes will be considered.

### **ARTICLE III. Public Education and Information Program**

#### **Section 1.0 Public Education and Information Program**

The Village of Vinton will improve public awareness of water use and conservation and encourage the efficient water use through a continued public education and information program.

- a) The goals for the program are as follows:
  - i) Encourage water users to utilize water efficient fixtures and appliances so that less water is consumed;
  - ii) Effectively communicate water conservation practices that include:
    - (1) Periodic checks of leak indicators on water meters;
    - (2) Washing only full loads of clothes and dishes;
    - (3) Using a bucket of water in lieu of a flowing hose to wash vehicles;
    - (4) Turning off water while brushing teeth and washing hands;
    - (5) Watering lawns, gardens, and shrubs during the evening as opposed to daytime hours during the heat of the day;
    - (6) Periodic checks of irrigation systems to ensure proper operation;
    - (7) Maintenance of faucets and spigots to stop leaks.

#### **Section 2.0 Public Information Program Elements:**

The continuing public education and information campaign on water conservation for the Village of Vinton includes the following elements:

- i) Promote the Village of Vinton's water conservation measures.
- ii) Implement the public information schedule with semi-annual water conservation information sent to all customers before and during the peak use periods of May through September.
- iii) Include water conservation information with monthly billing statements at least twice per year. Information will include material developed by the Village of

- Vinton staff as well as material obtained from the TWDB, the TCEQ, and other sources.
- iv) Encourage local media coverage of water conservation issues and the importance of water conservation.
  - v) Make information on water conservation available online at [www.vintontx.govoffice2.com/](http://www.vintontx.govoffice2.com/) and to information on water conservation on the TWDB and TCEQ websites.
  - vi) Additionally, this public education program will guide water users toward using water efficient plumbing fixtures and appliances, to utilize drought tolerant and native and adaptive plants which require less water and pesticides for landscaping, to find and repair plumbing leaks, and to take advantage of water conservation incentives where available.

The components of the education program include the following:

- i) **Public Service Announcements:** The Village of Vinton will continue to publicize and promote the importance of water conservation by placing public service announcements on the Village website.
- ii) **Water Conservation Literature:** The Village of Vinton will make water conservation literature available. Water conservation information will be distributed to the public through water bills, the Village website, at the Village Hall and in response to customer telephone calls requests for information.

#### **ARTICLE IV. General Provisions**

##### **Section 1.0 Severability:**

It is hereby declared to be the intention of the Village Council that if any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

##### **Section 2.0 Effective Date:**

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provision of the Texas Local Government Code. The Village Clerk is hereby authorized and directed to publish this Ordinance.

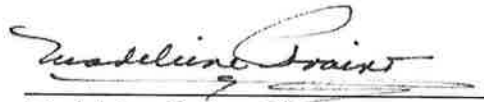
##### **Section 3.0 Open Meeting:**

It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**Section 4.0 Filing with TWDB:**

The Village Clerk is hereby directed to file a copy of this Ordinance with the Texas Water Development Board in accordance with Title 31, Chapter 363 of the Texas Administrative Code.

PASSED AND APPROVED by the Village Council for the Village of Vinton, Texas on this 4th day of April, 2011.

  
Madeleine Praino, Mayor

ATTEST:

  
Jessica Garza, Village Clerk

Approved as to Form:

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Shane A. English, Village Attorney