



RCH Water Supply Corporation

www.rchwater.com

NOTICE OF REGULAR MEETING OF BOARD OF DIRECTORS

Notice is hereby given that the RCH Water Supply Corporation will meet on August 6, 2024, at 4:00 PM at Chisholm Baptist Church, 1388 S State Hwy 205, Rockwall, TX 75032

- I. Call to Order
- II. Presentation of Previous Meeting's Minutes
- III. Open Forum for Member Comments
There will be a two-minute time limit/member. Each member must complete sign-in sheet in advance of meeting (sheet will be posted at meeting).
- IV. Discussion and Potential Action
 - A. Revisions to the Drought Contingency Plan
 - B. System and Operations Update by Robin Mayall, General Manager
 - C. Board Member Comments
- V. Executive Session
The Board may recess into closed/executive session pursuant to Texas Government Code 551.071, 551.074, and 551.129 to discuss personnel matters and any of the above items with legal counsel.
- VI. Take any Action as a Result of Executive Session
- VII. Adjourn

Agenda posted this 2nd day of August 2024



RCH Water Supply Corporation

www.rchwater.com

Meeting Date: June 25, 2024

Meeting Location: Chisholm Baptist Church, 1388 S State Hwy 205, Rockwall, TX 75032

Meeting Time: 4:00 p.m.

Board Members Present: David Naylor, Chris George, Terry Preuninger, Geoffrey Kemp

Others Present for All/Portion of the Meeting: Robin Mayall, General Manager; Kyle Weldon, Attorney at Law

I. Call to Order

David Naylor called the RCH Water Supply meeting to order at 4:00 pm.

II. Presentation and Approval of Previous Meetings' Minutes

Minutes of the April 16, 2024 Regular Board Meeting were reviewed. Upon motion by Terry Preuninger, second by Geoffrey Kemp, the minutes were accepted as presented.

Minutes of the April 23, 2024 Special Board Meeting were reviewed. Upon motion by Terry Preuninger, second by Geoffrey Kemp, the minutes were accepted as presented.

Minutes of the May 14, 2024 Special Board Meeting were reviewed. Upon motion by Terry Preuninger, second by Geoffrey Kemp, the minutes were accepted as presented.

III. Open Forum for Member Comments

There were no Member Comments.

IV. Discussion and Potential Action

A. Update and discussion regarding Robin Baley d/b/a H2O Services Lawsuit

Kyle Weldon presented an update on the Robin Baley d/b/a H2O Services lawsuit and answered the board's questions on the same.

B. System and Operations Update by Robin Mayall, General Manager

Robin Mayall provided an update on installation of the new meters and integration into the billing process. Robin also updated the Board on the ongoing lead and copper testing which is required by the EPA, with the report being due in October. An update on the water restrictions was also provided and appreciation was expressed to McLendon-Chisholm Mayor Bryan McNeal for assisting in reaching out to the various homeowners associations for their compliance with the restrictions.

C. Board Member Comments

The Board expressed their appreciation for the work and communication being provided by the RCH staff – particularly with the current water restrictions and this past month when contractors damaged RCH water lines.

The Board was also reminded that they had agreed to cancel the July Board Meeting. The next Regular Board Meeting is scheduled for August 6, 2024.

V. Executive Session

There was no executive session

The meeting was adjourned at 4:23 pm on motion by Geoffrey Kemp, second by Terry Preuninger.

CERTIFICATE OF RESOLUTION

THE STATE OF TEXAS

§
§
§

COUNTY OF ROCKWALL

I, the undersigned Officer of the Board of Directors of RCH Water Supply Corporation, hereby certify as follows:

1. The Board of Directors of RCH Water Supply Corporation (“RCH”) convened in a regular meeting at the meeting place inside the boundaries of RCH, and the roll was called of the duly constituted officers and members of the Board.

Whereupon, among other business, the following was transacted at the meeting: a written

**RESOLUTION OF THE BOARD OF DIRECTORS ADOPTING AN AMENDED
DROUGHT CONTINGENCY PLAN**

was introduced for the consideration of the Board of Directors. It was then duly moved and seconded that the Resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the Resolution, prevailed and carried unanimously.

2. A true, full and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the Resolution has been duly recorded in the Board’s minutes of the meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, and notice was posted and given more than 72 hours in advance, of the time, place and purpose of the aforesaid meeting in accordance with applicable law, including Chapter 551, Texas Government Code, as amended, and that the Resolution would be introduced and considered for adoption at the meeting.

SIGNED this ____ day of August, 2024.

President, Board of Directors

Attest:

Secretary-Treasurer

RCH WATER SUPPLY CORPORATION – RESOLUTION NO. 24-10

**RESOLUTION OF THE BOARD OF DIRECTORS ADOPTING AN AMENDED
DROUGHT CONTINGENCY PLAN**

WHEREAS, the Board of Directors for RCH Water Supply Corporation (“RCH”) recognizes the importance of water and its availability to its customers.

WHEREAS, RCH recognizes that water resources are not a limitless resource and are subject to depletion during periods of extreme heat and extended drought.

WHEREAS, as authorized under law and in the best interest of the customers of RCH, the Board deems it necessary to amend its current Drought Contingency Plan to update RCH’s rules and policies for the orderly and efficient management of limited water supplies on an ongoing basis as well as during drought and other water supply emergencies.

WHEREAS, the Board of Directors finds that this resolution is in the best interest of RCH and its customers.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF RCH, THAT:

SECTION 1. That the amended Drought Contingency Plan attached hereto is hereby adopted as the official policy of RCH.

SECTION 2. The General Manager of RCH is hereby directed to implement, administer, and enforce the Drought Contingency Plan.

SECTION 3. This Resolution shall be effective immediately upon adoption.

PASSED AND APPROVED on this ____ day of August, 2024.

RCH WATER SUPPLY CORPORATION

By: _____
David Naylor, President

Attest:

Secretary-Treasurer



DROUGHT CONTINGENCY PLAN

FOR

RCH WATER SUPPLY CORPORATION

ROCKWALL COUNTY, TEXAS

Revised August __, 2024

DROUGHT CONTINGENCY PLAN FOR RCH WATER SUPPLY CORPORATION

Section I: Declaration of Policy, Purpose, and Intent

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

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

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by ~~the RCH Water Supply Corporation scheduling and providing public notice of a public meeting to accept input on the Plan by means of attendance at monthly Board of Director meetings. RCH conducted a public meeting on the prior version of the Plan.~~

Section III: Public Education

~~The RCH Water Supply Corporation~~ will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of RCH's webpage, press releases, newsletters, and/or billing inserts.

Section IV: Coordination with Regional Water Planning Groups

The service area of ~~the RCH Water Supply Corporation~~ is located within Region C Regional Planning Area and RCH ~~Water Supply Corporation will~~has provided a copy of this Plan to the Region C Planning Group once approved by RCH's Board of Directors.

Section V: Authorization

RCH's ~~The Board of Directors~~ General Manager ("General Manager") or his/her~~their~~ designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The ~~Board or~~ General Manager or his/her~~their~~ designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan and shall be authorized to make temporary adjustments to specific triggers and restriction

~~requirements contained within Section VIII of this plan as deemed necessary for operational needs. Unless otherwise ordered by the Board of Directors the designee (DCP Administrator) to implement the Drought Contingency Plan (DCP) shall be the Operations Supervisor/Manager of the system contracted by the Board of Directors or or General Manager of RCH WSC. The DCP Administrator shall be authorized to make temporary adjustments to specific triggers and restriction requirements contained within Section VIII of this plan as deemed necessary for operational needs. Such temporary adjustments shall only be valid until the next regularly scheduled meeting of the Board of Directors unless otherwise directed or approved by Board of Directors.~~

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by ~~the RCH Water Supply Corporation~~. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by RCH Water Supply Corporation.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Foundation watering: an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section VIII: Triggering Criteria for Initiation and Termination of Drought Response Stages

The General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on distribution capabilities and customer peak usage.

Utilization of alternative water sources and/or alternative delivery mechanisms: Alternative water source(s) for RCH ~~Water Supply Corporation~~ is: None.

Stage 1 Triggers – MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII – Definitions, when continually falling treated water reservoir levels which do not refill above 100 percent overnight.

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 14 consecutive days or until the condition causing the low water levels have been adequately rectified as determined by the ~~DCP Administrator~~General Manager.

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses provided in Section IX of this Plan when falling treated water reservoir levels which routinely do not refill above 90 percent overnight.

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 14 consecutive days or until the condition causing the low water levels have been adequately rectified as determined by the ~~DCP Administrator~~General Manager. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 3 of this Plan when falling treated water reservoir levels, which routinely do not refill above 85 percent overnight.

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 14 consecutive days or until the condition causing the low water levels have been adequately rectified as determined by the ~~DCP Administrator~~General Manager. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 4 of this Plan when falling treated water reservoir levels which routinely do not refill above 75 percent overnight.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 14 consecutive days or until the condition causing the low water levels have been adequately rectified as determined by the ~~DCP Administrator~~General Manager. Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the ~~DCP Administrator~~General Manager, or his/her designee, determines that a water supply emergency exists based on, but not limited to:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; ~~or~~
2. Natural or man-made contamination of the water supply source(s);
3. Natural or other causes beyond the control of RCH, which create a substantial risk to the system.

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 14 consecutive days or until the condition causing the low water levels have been adequately rectified as determined by the ~~DCP Administrator~~General Manager.

Stage 6 Triggers – WATER ALLOCATION

Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when falling treated water reservoir levels which do not refill above 50 percent overnight.

Requirements for termination

Water rationing may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 14 consecutive days or until the condition causing the low water levels having been adequately rectified as determined by the ~~DCP Administrator~~General Manager.

Section IX: Drought Response Stages

The ~~DCP Administrator~~General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of the Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The ~~DCP Administrator~~General Manager or his/her designee shall notify the public by means of:

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- ~~•~~ Direct mailing to each customer; ~~or-~~
- Email or text alerts to customers (if customers have provided such information to RCH);
- or
- ~~•~~ Posting on the RCH webpage~~Web site~~.

~~Electronic mail, text or phone, if available.~~

Additional Notification:

The ~~DCP Administrator~~General Manager or his/her designee may (as appropriate to the respective drought stages)~~shall~~ notify directly, or cause to be notified directly, the following individuals and entities:

- Fire Chief(s)
- County Emergency Management Coordinator(s)
- ~~• County Judge & Commissioner(s)~~
- ~~•~~ State Disaster District / Department of Public Safety
- TCEQ (~~required~~ when ~~mandatory restrictions are imposed~~required)
-
- Major water users
- Critical water users

Stage 1 Response – MILD Water Shortage Condition

Target: Achieve a voluntary 10 percent reduction in daily water demand.

Best Management Practices for Supply Management:

- none

Voluntary Water Use Restrictions for Reducing Demand:

(a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to two days a week, Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 6:00 a.m. or 8:00 p.m. to midnight on designated watering days. Designated watering days may be modified by the ~~DCP Administrator~~General Manager for water use balancing purposes.

(b) All operations of ~~the RCH Water Supply Corporation~~ shall adhere to water use restrictions prescribed for Stage 1 of the Plan.

(c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a 15 percent reduction in daily water demand.

Best Management Practices for Supply Management:

- None

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

(a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to two days a week, Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of midnight until 6:00 a.m. or between 8:00 p.m. and midnight on designated watering days. Designated watering days may be modified by the ~~DCP Administrator~~**General Manager** for water use balancing purposes. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose with an automatic shut off device, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited except on designated watering days. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

(c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of midnight and 6:00 a.m. and between 8 p.m. and midnight.

(d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds utilize reclaimed water.

(e) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the RCH Water Supply Corporation.

(f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours midnight and 6:00 a.m. and between 8 p.m. and midnight. However, if the golf course utilizes a water source other than that provided by the RCH Water Supply Corporation, the facility shall not be subject to these regulations.

(g) All restaurants are prohibited from serving water to its patrons except when requested.

(h) The following uses of water are defined as non-essential and are prohibited:

1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
2. use of water to wash down buildings or structures for purposes other than immediate fire protection.
3. use of water for dust control.
4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a 20 percent reduction in daily water demand.

Best Management Practices for Supply Management:

- Reduced or discontinued flushing of water mains.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

(a) Irrigation of landscaped areas shall be limited to one day per week on designated watering days between the hours of midnight and 4:00 a.m. or between 8 p.m. and midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.

(b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the RCH Water Supply Corporation.

(c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

(d) The filling or refilling is prohibited but topping off or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is permitted on designated watering days.

Stage 4 Response – CRITICAL Water Shortage Conditions

Target: Achieve a 30 percent reduction in daily water demand.

Best Management Practices for Supply Management:

- Reduced or discontinued flushing of water mains.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

(a) Irrigation of landscaped areas excluding lawns shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. or between 8:00 p.m. and midnight and shall be by means of hand-held hoses with an automatic shut off device, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10:00 p.m.

(c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.

(d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds utilize reclaimed water

(e) No applications for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a 50 percent reduction in daily water demand.

Best Management Practices for Supply Management:

- Reduced or discontinued flushing of water mains.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

(a) Irrigation of landscaped areas is absolutely prohibited.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is absolutely prohibited.

Stage 6 Response – WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety, and welfare, the General Manager is hereby authorized to ration water according to the following water allocation plan:

Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

“Household” means the residential premises served by the customer’s meter. “Persons per household” includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer’s household is comprised of two (2) persons unless the customer notifies ~~the RCH Water Supply Corporation~~ of a greater number of persons per household on a form prescribed by the General Manager. The General Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the ~~RCH Water Supply Corporation~~ offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the General Manager. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify ~~the RCH Water Supply Corporation~~ on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify ~~the RCH Water Supply Corporation~~ in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the General Manager shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify ~~the RCH Water Supply Corporation~~ of a reduction in the number of persons in a household shall be fined not less than \$100.00. Residential water customers shall pay the following surcharges:

- \$20.00 for the first 1,000 gallons over allocation.
- \$22.00 for the second 1,000 gallons over allocation.
- \$24.00 for the third 1,000 gallons over allocation.
- \$26.00 for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

Section X: Enforcement

(a) No person shall knowingly or intentionally allow the use of water from ~~the RCH Water Supply Corporation~~ for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the General Manager, or his/her designee, in accordance with provisions of this Plan.

(b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than five hundred dollars (\$500.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the General Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of all accrued fines, a re-connection charge, hereby established at \$100.00, and any other costs incurred by RCH in discontinuing service. In addition, suitable assurance must be given to the General Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

~~(c)~~ Any person, including a person classified as a water customer of ~~the RCH Water Supply Corporation~~, 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 reputable 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 violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a reputable 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.

~~(d)~~ Any employee of ~~the RCH Water Supply Corporation~~, police officer, or other employee designated by the ~~DCP Administrator~~General Manager, may issue a violation notice to a person he/she reasonably believes to be in violation of the requirements of this plan. The violation shall contain the name and address of the alleged violator, if known, the specific violation(s) and provided to the violator either by direct delivery to the property or mail.

~~(e)~~ Additional alternative enforcement measures to reduce individual usage during water shortage, drought or other condition requiring conservation to insure adequate supply or water for essential needs of RCH ~~WSC members~~customers.

1. Stage 1 or Stage 2: Members will be notified by written notice, hanging tag, or letter of a violation of required restrictions, reductions or for excessive usage in the case of a first violation.

2. Subsequent violations: After the first written notice, ~~the General Manager~~RCH-WSC or ~~his/her~~their designee may, at his or her discretion, install a flow-restricting device in the line to limit the amount of water that will pass through the meter in a 24-hour period. The flow restrictor may be left in the line for up to 60 days or until the water shortage, drought or other condition has ceased. ~~RCH-WSC~~ may charge the member for the actual cost of installing and removing the flow-restricting device and assess it along with the customer's monthly bill.

3. Stages 3 through 6: ~~RCH-WSC~~The General Manager or ~~his/her~~their designee may install a flow restricting device as described above without a prior written notice for violation of restrictions on sprinklers, automatic irrigation systems or other non-essential water use as defined Section VII of this plan.

Section XI: Variances

The ~~DCP Administrator~~General Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with ~~the RCH Water Supply Corporation~~ within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the ~~DCP Administrator~~General Manager, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.

(h) Other pertinent information.