

**Ordinance No. 24-008**

**AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; PROVIDING FOR AMENDMENTS TO THE CITY'S PLUMBING CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Killeen, Texas is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code;

**WHEREAS**, the City Council desires to amend the City of Killeen's Plumbing Code to ensure that car washes do not use an inordinate amount of water in their commercial operations; and,

**WHEREAS**, the City Council finds that such amendments are necessary preserve the City's natural resources.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS:**

**SECTION I.** That Chapter 8 of the City of Killeen Code of Ordinances is hereby amended as follows:

Sec. 8-1. - Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this chapter, except where the context clearly indicates a different meaning. Additional terms and definitions are found in the adopted construction codes:

*Board* shall mean the construction board of appeals of the City as appointed by the city council.

*Building official* shall mean the officer or other designated authority, or his duly authorized representative, charged with the administration and enforcement of this chapter.

*Construction codes* shall mean the adopted construction codes and regulations listed within this chapter as amended.

*Conveyor car wash* shall mean a car wash in which sprays and/or brushes are mounted on stationary arches and spray a vehicle that moves underneath along a conveyor.

*Department* shall mean the City of Killeen Development Services Department.

*Existing* shall mean in operation or under construction prior to the effective date of ordinance enacting the applicable section.

*Homeowner* shall mean person or persons residing in a single-family dwelling that is lawfully recorded as his or her homestead.

*In-bay automatic car wash* shall mean a car wash in which the vehicle remains stationary within a wash bay while automatic arms move back and forth over the vehicle.

*Inspector* shall mean an employee of the City duly authorized and charged with the enforcement of this chapter under the direction of the building official.

*Mobile car wash* shall mean a vehicle or trailer-mounted self-contained washing system with water or detergent solution, storage tank, pumping equipment, hoses, spray wand, and related appurtenances.

*New* shall mean constructed on or after the effective date of the ordinance enacting the applicable section.

*Project* shall mean any new construction, addition, alteration, demolition or repair of a building or structure within the City of Killeen, which requires a construction permit.

*Positive cutoff device* shall mean a device which permits water to flow through it only when an outside force or pressure is applied to it.

*Registered contractor* shall mean any person lawfully registered with the City and possessing any and all state required licenses, certifications, endorsements and/or registrations required to perform such regulated work who is engaged in a business of installation or altering, by contract, a structure or equipment to whom permits may be issued to. It shall include any authorized person, whether actually doing work or not, and any authorized person who subcontracts to do such work, but does not include bona fide employees employed by such contractor to do or supervise such work.

*Registration* shall mean the contractor registration by type(s) issued by the City under this chapter.

*Registration year* shall mean the calendar year, from January first to December thirty- first.

*Self-service carwash* shall mean a commercial car wash in which the vehicle remains stationary within a wash bay and is washed manually by the customer using high-pressure sprayers and brushes.

*Water recycling system* shall mean a system of pumps, tanks, and treatment components used to treat and reuse water continuously for a single purpose.

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Sec. 8-242. - Water Conservation.

(a) Car Washes

1. The Executive Director of the Department, or designee, shall develop and implement an annual certification program that shall ensure that all car washes comply with the requirements of this section.
2. New conveyer and in-bay automatic car washes must be equipped with and utilize a water recycling system that reuses a minimum of fifty (50) percent of water from previous vehicle rinses in subsequent washes.
3. Any existing conveyer or in-bay automatic car wash that is equipped with a water recycling system, as of the effective date of this section, shall use the water recycling system and reuse a minimum of fifty (50) percent of water from previous vehicle rinses in subsequent washes.
4. New conveyer systems shall not use more than thirty-five (35) gallons of water per vehicle.
5. New in-bay automatic car washes shall use no more than forty-five (45) gallons of water per vehicle.
6. New self-service car washes shall utilize positive cutoff device spray wands with a flow rate of no more than three (3) gallons of water per minute.
7. New and existing car washes owners shall ensure that no water leaks are present in the vehicle washing equipment.

(b) Enforcement

Pursuant to section 8-2, any person violating any provision of this section is subject to a fine as provided in section 1-8. Each day any violation of this section shall continue shall constitute a separate offense.

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**SECTION II.** That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION III.** That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

**SECTION IV.** That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION V.** That this ordinance shall be effective after its passage and publication according to law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 19<sup>th</sup> day of March, 2024, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

**APPROVED:**

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Debbie Nash-King, MAYOR

**ATTEST:**

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Laura J. Calcote, CITY SECRETARY

**APPROVED AS TO FORM:**

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Holli C. Clements, CITY ATTORNEY

