



Water Conservation Plan Variance Application Form

Reason for Variance Request: _____

Requested Duration: _____

Applicant Information:

Name of Applicant (Contact) _____

Street Address for Variance _____

Mailing Address for Billing (if different) _____

Contact Numbers. (Home) _____ (Work) _____ (Cell) _____

E-mail _____

City Utility Account Number _____

The reasons for requesting a variance must be described below. Please be aware that:

- (1) Granting of a variance must not cause an immediate significant reduction in the city's water supply;
- (2) The health, safety, or welfare of other persons will not be adversely affected by granting of the variance; and
- (3) The applicant must demonstrate that the extreme hardship or need is related to the health, safety, or welfare of the person requesting it.

Explanation for Variance Request

Please describe why this variance is being requested (you may attach additional information on a separate sheet if needed):

Conditions for Variance

By submitting this application, the responsible party agrees to the following:

- Agree to inspection by Van Alstyne Public Works to verify conditions stated in application.
- If the variance is granted by the Van Alstyne City Council, the customer shall post a copy of the Variance Permit in view of the public.
- Observe all other Water Conservation Ordinance and Plan requirements.
- Variance will automatically expire if the Drought Contingency Plan is implemented by the Van Alstyne City Council.

Applicant affirms that all statements and documentation made in this Application are true and correct. Applicant also agrees as part of this application to comply with all applicable requirements of the City's Water Conservation and Water Resources and Emergency Management Plan, as amended relating to Lawn and Landscape Irrigation.



Applicant understands and agrees that any variance granted may be revoked by the City Manager of the City of Van Alstyne at any time in the City Manager’s discretion if: (a) Customer violates any terms and conditions of water usage as set forth above; (b) Customer violates any of the provisions of the City’s Water Conservation Plan or the City’s Water Resources and Emergency Management Plan, as amended; (c) the facts or circumstances that justified the variance no longer exist; (d) an immediate significant reduction in water supply or waste of water occurs as a result of usage under the variance; or (e) the health, safety, or welfare of the general public or specific persons requires revocation of the variance.

Applicant has read, fully understands, and consents to the terms and a condition set forth for the variance policy and procedures, and also understands that violation of the terms and conditions may result in civil penalties or criminal prosecution in Municipal Court, as well as revocation of the variance permit.

As a further express condition precedent to the granting of a variance as requested by this Application, Applicant **EXPRESSLY AGREES TO FULLY AND COMPLETELY** defend, indemnify and hold the City of Van Alstyne, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs, and expenses for personal injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by Applicant’s violation of any terms or provisions of a variance permit, if granted, or by any use of water under such a variance permit, **REGARDLESS OF WHETHER OR NOT THE NEGLIGENCE, GROSS NEGLIGENCE OR COMPARATIVE FAULT OF CITY, ITS OFFICERS, AGENTS OR EMPLOYEES, CONTRIBUTES IN ANY WAY TO THE DAMAGE, INJURY OR OTHER HARM MENTIONED ABOVE. THE REQUIREMENT OF APPLICANT TO DEFEND AS DESCRIBED ABOVE ALSO UNCONDITIONALLY APPLIES REGARDLESS OF WHETHER OR NOT THE NEGLIGENCE, GROSS NEGLIGENCE OR COMPARATIVE FAULT OF CITY, ITS OFFICERS, AGENTS OR EMPLOYEES, CONTRIBUTES IN ANY WAY TO THE DAMAGE, INJURY OR OTHER HARM MENTIONED ABOVE.** Nothing in this paragraph shall be construed as waiving any governmental immunity available to the City of Van Alstyne under Texas law. The provisions of this paragraph are solely for the benefit of Applicant and the City of Van Alstyne and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

EXECUTED as consented to this the _____ day of _____, 20 _____.

APPLICANT SIGNATURE: _____

IF CORPORATE APPLICANT:

CORPORATE NAME: _____

I hereby certify that I have authority to bind the named Corporate Applicant and the Owner of the Property.

OFFICER’S SIGNATURE: _____

TITLE: _____

FOR OFFICE USE ONLY

Date Application Received: _____ Date application forwarded to Public Works Director: _____

Meter(s) Serial Number: _____ Date considered by Van Alstyne City Council: _____

Approved or Denied by City Council (circle one) If approved, Expiration Date: _____