

CITY OF WATAUGA, TEXAS
ORDINANCE NO. 2019-001

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE CITY OF WATAUGA DROUGHT CONTINGENCY PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019; AMENDING CHAPTER 13, ARTICLE 13.04, SECTION 13.04.003(A) OF THE CODE OF ORDINANCES OF THE CITY OF WATAUGA, TEXAS ESTABLISHING A DROUGHT CONTINGENCY PLAN; PROVIDING THAT THE DROUGHT CONTINGENCY PLAN WITH AN EFFECTIVE DATE OF JULY 1, 2019 IS ADOPTED; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Watauga, Texas (“City”) recognizes the necessity to establish a drought contingency plan; and

WHEREAS, the City of Watauga, Texas is required to develop a drought contingency plan pursuant to the Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 and Rule 288.22 and to submit the same to the Texas Commission on Environmental Quality; and

WHEREAS, the City Council of the City of Watauga, Texas recognizes the necessity to quickly identify when drought conditions are present; and

WHEREAS, the regulation and monitoring of water use during drought conditions serves an important public interest.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The City of Watauga Drought Contingency Plan with an effective date of July 1, 2019, a copy of which is attached hereto as Exhibit “A” and incorporated by reference, is hereby adopted.

II.

Chapter 13, Article 13.04, Section 13.04.003(a) of the Code of Ordinances of the City of Watauga, Texas is hereby amended to read as follows:

- (a) *Adoption; implementation.* The City hereby adopts the City of Watauga Drought Contingency Plan with an effective date of July 1, 2019, a copy of which is one file in the Office of the City Secretary and available for inspection.
- (1) The Drought Contingency Plan establishes criteria to determine certain drought conditions and actions to be taken by the City administration and the citizens of the City during the stages of defined drought conditions.
 - (2) This Section authorizes the City Manager, or his duly appointed representative, to define the condition as detailed in the plan, to upgrade the condition, to initiate the appropriate actions as detailed in the plan, and to terminate the condition when the emergency has subsided and/or ended.
 - (3) The City Manager, or the City Manager’s duly appointed representative, shall have the authority to enact and promulgate any and all of the prescribed procedures, and to adopt and promulgate rules and regulations if necessary to protect health and safety in case of system failure.
 - (4) The prescribed procedures to protect the health and safety of the citizens shall be promulgated by posting at the City Hall and at several key public facilities within the City. The procedures shall be binding upon all water customers of the City water system. Any customer violating any posted procedure, limitation or ban shall be deemed guilty of a misdemeanor and fined in accordance with the fines and penalties provision in this Section. Each day of the violation shall be a separate offense.

III.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

IV.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

V.

This Ordinance shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council and upon approval thereof by the Mayor of the City of Watauga, Texas and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, on the 8th day of July, 2019.

APPROVED:

/s/Arthur L Miner
ARTHUR L. MINER, MAYOR

ATTEST:

TERRI JOHNSON, INTERIM CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY