

ORDINANCE NO. 2006-F

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCKRELL HILL, TEXAS, ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN TO PROMOTE RESPONSIBLE USE OF WATER; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES RELATED TO DROUGHT OR SHORTAGES; PROVIDING A PENALTY OF NOT LESS THAN ONE HUNDRED DOLLARS (\$100.00) PER DAY NOR MORE THAN TWO THOUSAND DOLLARS (\$2,000.00) PER DAY FOR EACH DAY OF NONCOMPLIANCE WITH THE PROVISIONS OF THE DROUGHT CONTINGENCY PLAN, AND/OR DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

**WHEREAS**, the City of Cockrell Hill ("City") has initiated efforts to conserve water usage and inform the public about water conservation and supports the goal of conserving the water resources of the State of Texas; and

**WHEREAS**, as authorized under law, and in the best interests of the citizens of Cockrell Hill, Texas, the City Council deems it expedient and necessary to update certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies; and

**WHEREAS**, the City of Cockrell Hill recognizes that the amount of water available to the City and its' water customers is limited; and

**WHEREAS**, the City recognizes that due to natural limitations due to drought conditions, system failures, and other acts of God that may occur, the City cannot guarantee an uninterrupted water supply for all purposes at all times; and

**WHEREAS**, applicable laws and regulations of the Texas Commission on Environmental Quality ("TCEQ") require that the City adopt a Water Conservation and Drought Contingency Plan ("Plan"); and

**WHEREAS**, the City Council of the City of Cockrell Hill desires approval of the Plan and hereby adopts such Plan as the official City policy;

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

**SECTION 1.** That all of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**SECTION 2.** That the City of Cockrell Hill, Texas Water Conservation and Drought Contingency Plan attached hereto as Exhibit "A" and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City, included in full as a part of this Ordinance as if recited verbatim herein. The City of Cockrell Hill commits to implement the program according to the procedures set forth in the adopted Plan.

**SECTION 3.** That water customers of the City not complying with the Drought Contingency Plan, adopted as part of this Ordinance, shall be subject to the enforcement described in Section 6.8 of the attached Plan, including monetary penalties or discontinuance of water services to water customers in violation of the Plan by the City.

**SECTION 4.** That the City Council finds and declares that a sufficient written notice of the date, hour, place and subject of the meeting of the Council was posted at a designated place convenient to the public at the City Hall for the time required by law preceding this meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

**SECTION 5.** That all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 6.** That it is hereby declared to be the intention of the City Council of the City of Cockrell Hill, Texas, that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of the ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

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SECTION 8. That the City Secretary is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method of publication provided by law.

IT IS SO ORDERED.

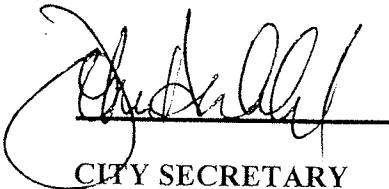
DULY PASSED AND APPROVED by the City Council of the City of Cockrell Hill this the 25 day of April, 2006.

APPROVED:



Mayor, C. P. Slayton

ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

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CITY ATTORNEY