

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 14; BY ADOPTING THE MAY 2019 WATER CONSERVATION AND WATER RESOURCE MANAGEMENT PLAN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) and Texas Water Development Board (TWDB) has developed guidelines and requirements governing the development of a Water Conservation and Water Resource Management Plan for water suppliers; and,

WHEREAS, the City of Allen has been an active participant in the regional planning process of compatible messaging of its Water Conservation and Water Resource Management Plan; and,

WHEREAS, the City Council has reviewed the proposed City of Allen Water Conservation and Water Resource Management Plan and finds it is in the best interest of the City to adopt the same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The May 2019 City of Allen Water Conservation Plan and Water Resource Management Plan attached as Exhibit “A” and incorporated herein by reference as if fully set forth in full, a copy of which is on file in the office of the City Secretary, is hereby adopted.

SECTION 2. Section 14-14.1 is amended to read as follows:

“Sec. 14-14.1. Adoption of Water Conservation and Water Resource Management Plan.

That the May 2019 City of Allen Water Conservation Plan and Water Resource Management Plan, a copy of which is on file in the office of the City Secretary, incorporated by reference, is hereby adopted.”

SECTION 3. Section 14-14.2 of the Code of Ordinances is amended to read as follows:

“Sec. 14-14.2. Criminal penalties.

It is unlawful for any person, or customer, defined pursuant to 30 Tex. Admin. Code Chapter 291, to violate or fail to comply with any of the provisions of the City Water Conservation and Water Resource Management Plan, and upon conviction shall be subject to a fine not to exceed two thousand dollars (\$2,000.00) for each offense. Each day a person or customer violates or fails to comply with the City Water Conservation and Water Resource Plan constitutes a separate violation. The city's authority to seek injunctive or other civil relief available under the law is not limited by this section.”

SECTION 4. All ordinances of the City of Allen, Collin County, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed; provided, however that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 7. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 8. This ordinance shall take effect immediately from and after its passage and publication in accordance with its provisions of the Charter of the City of Allen, and it is, accordingly, so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 23RD DAY OF APRIL 2019.

APPROVED:

Stephen Terrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(PGS:4-17-19:TM 107402)

Shelley B. George, TRMC, CITY SECRETARY