

ORDINANCE NO. 102-1984

AN ORDINANCE AMENDING CHAPTER 32, "UTILITIES," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 32, "Utilities," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense.

PART 4: That the City Council hereby finds that an emergency exists requiring suspension of the rule provided in Section 18 of the City Charter requiring ordinances to be read on two (2) separate days, and said rule is hereby suspended and this emergency ordinance, being a penal ordinance, shall take effect immediately upon publication. The immediate passage of said ordinance is necessary for the preservation of the public peace, safety and welfare, to-wit: the immediate implementation of revised Stage 4 mandatory water conservation measures, along with the other amendments, is necessary to preserve and prudently use the City's water resources in this continuing drought.

PASSED this 27 day of September, A.D. 19 84.

ATTEST:

Patricia Patton  
CITY SECRETARY

David A. Anderson  
MAYOR

APPROVED:

Gary Sanders  
CITY ATTORNEY

EXHIBIT A

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PART 1: Amend Section 32-144 d. "Stage 4. Mandatory Compliance-Water Emergency," by deleting the current restrictions 1, 2, 3, and 5 and adding amended 1, 2, and 5 as follows:

1. (a) All watering of lawns and grass is prohibited.
- (b) Eight football fields (Shotwell Stadium, three colleges, and four high schools) can be watered by some type of water-flood system (no sprinklers) once every ten days.
2. The washing of all automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment should be curtailed unless the washing is in the immediate interest of the public health, safety, or welfare. The washing of any of the above at residences is prohibited.
5. (a) Commercial and industrial users of water shall reduce their monthly consumption of water by the following percentages according to category/priority of use. The previous seven months usage average will be used to calculate the reduction percentage.
  - (1) Car Washes:
    - If water is recycled - 10%
    - If not on recycle system - 30%
  - (2) All other commercial and industrial users that use water for other than drinking water or restrooms: 10%

An increased fee will be charged for any water consumption that does not comply with the required reductions.

The water fee in addition to regular charges is as follows:

- \$5.00 per 1,000 gallons for first 5,000 gallons over allowed amount.
- \$10.00 per 1,000 gallons for next 5,000 gallons.
- \$20.00 per 1,000 gallons for higher usage.

Further, if a customer uses more than the allowed amount more than once at anytime during Stage 4, then after each such overuse, the above water charges will be added, the customer's water will be turned off and there will be a two hundred dollar (\$200.00) re-connect fee.

- (b) Each golf course shall be allotted no more than 3,000,000 gallons of raw water from Lake Kirby per calendar month (such allotment is intended primarily to maintain tees and greens).

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