

ORDINANCE NO. 9-2005

AN ORDINANCE AMENDING CHAPTER 32, UTILITIES, ARTICLE VI, WATER CONSERVATION PLAN, DIVISION 2, WATER CONSERVATION PLAN PROCEDURES, OF THE CITY OF ABILENE MUNICIPAL CODE, BY ADDING CERTAIN SECTION AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENFORCEMENT; AND CALLING FOR A PUBLIC HEARING.

WHEREAS, drought contingency planning requirements are found in the Texas Administrative Code, (TAC) Chapter 288, Subchapter B and mandate that public water systems implement drought contingency planning; and,

WHEREAS, Abilene's Drought Contingency Plan (Titled "Water Conservation Plan") was last amended in 2003 affirming that limited water resources necessitate a year round water use management plan, and that the general welfare of the customers of the City of Abilene's Water Utility System requires that water resources be put to maximum beneficial use, and that the waste, unreasonable use, or unreasonable method of use of water be prevented; and,

WHEREAS, in October 2004, the TAC was amended to require public water systems to update their Drought Contingency Plans to include target water use reduction goals in each stage of drought contingency response as described in the system's DCP/WCP; now, therefore,


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

- PART 1:** That Chapter 32, Utilities, Article VI, Water Conservation Plan, Division 2, Water Conservation Plan Procedures, of the City of 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 section of this Ordinance is held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining Ordinance provisions or sections, which shall remain in full force and effect.
- PART 3:** That any person, firm, or corporation, violating any of the Water Conservation Plan provisions of this Ordinance shall be assessed a penalty as set forth by the procedures contained in Division 3, Water Conservation Plan Enforcement.
- PART 4:** That the provisions of this ordinance become effective April 30, 2005.


PASSED ON FIRST READING this 24 day of March, 2005.

PASSED ON SECOND AND FINAL READING after public hearing this 14th day of April, 2005.

ATTEST:



Jo Moore
City Secretary



Norm Archibald
Mayor

APPROVED:


Sharon Hicks
City Attorney

EXHIBIT A

AMEND CHAPTER 32 UTILITIES, ARTICLE VI WATER CONSERVATION PLAN, DIVISION 2, WATER CONSERVATION PLAN PROCEDURES OF THE ABILENE MUNICIPAL CODE BY ADDING:

Section 32-146. Target Water Use Goals.

The following target goals for water usage are established for use during Water Conservation Stages as contained in Section 32-145:

Stage 1. WATER ALERT

Target Water Use Goal:

Combined treatment plant production less than 49.5 million gallons per day (MGD) for all Abilene water treatment facilities.

Stage 2. WATER WARNING

Target Water Use Goal:

Combined treatment plant production less than 49.5 MGD for all Abilene water treatment facilities.

Stage 3. WATER EMERGENCY

Target Water Use Goal:

Combined treatment plant production less than 30 MGD for all Abilene water treatment facilities.

Stage 4. WATER CRISIS

Target Water Use Goal:

Combined treatment plant production less than 30 MGD for all Abilene water treatment facilities.