



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Aniz Alani, Deputy City Attorney

Council Meeting Date: October 7, 2025

Agenda Item Wording: **Public hearing, discussion, and consideration of approval of proposed amendments to an Ordinance of the City of Dripping Springs, Chapter 20, implementing the enforcement provisions of the City's Drought Contingency Plan.**

a. Staff Report

b. Public Hearing

c. Ordinance

Agenda Item Sponsor: Mayor Bill Foulds, Jr.

Summary/Background: The City purchases wholesale water from the West Travis County Public Utility Agency (WTCPUA) and retails to several subdivisions. Under the City's contract obligations with the Lower Colorado River Authority (LCRA), the City must maintain and enforce a Drought Contingency Plan (DCP). The DCP sets rules for public education, notice, permanent restrictions, stage-based restrictions, and enforcement of water use.

On August 5, 2025, Council approved and adopted the City's DCP for municipal water use. The enforcement ordinance before Council is the next step to carry out that plan and align municipal enforcement with the DCP.

The ordinance implements administrative enforcement authority provided by Texas Local Government Code §54.044 for water conservation measures (e.g., watering restrictions), adding a flexible, due-process-compliant pathway in addition to traditional civil or criminal enforcement.

Consistent with regional suppliers and regulators, the ordinance confirms that City retail customers must follow the most stringent applicable conservation and drought rules among the City's DCP/Water Conservation Plan, the WTCPUA plans, and LCRA plans.

What the Ordinance Does

- **Codifies DCP Enforcement:** Amends Article 20.06 to implement the DCP and authorizes enforcement through notice, fines, service actions, and judicial remedies.
- **Graduated Penalties for Retail Customers:**
 - Written notice after a first observed violation;
 - Misdemeanor up to \$500 for a subsequent violation after notice of violation within the previous year;
 - Misdemeanor up to \$1,000 for a further violation after a prior conviction/plea within one year of receiving a notice of violation and having been previously convicted of a misdemeanor;
 - Service discontinuation after repeated violations, with \$500 reconnection and \$500 deposit to restore service.
 - Each day is a separate offense.
- **Administrative & Judicial Tools:** Designated City officials may enforce the DCP; Municipal Court may issue administrative warrants/process as needed; fines/civil penalties may be pursued in municipal/district/county court; injunctive relief is available.
- **Wholesale Users:** Must maintain enforcement provisions no less stringent than the City's; non-compliance is subject to civil penalties and notices similar to retail enforcement.
- **Appeal Process before Disconnection:** The draft ordinance includes provision for notice and an opportunity to be heard before a water utility disconnection occurs. As well, customers are notified at the time a notice of violation is issued about ways in which they can monitor their water usage and who they can contact at the City for more information.

Commission Recommendations:

N/A

Recommended Council Actions:

Approve the Ordinance amending Chapter 20, Article 20.06 to implement the DCP enforcement framework and associated penalties.

Attachments:

Drought Contingency Plan Enforcement Ordinance (with Exhibit A amendments to Article 20.06).

Drought Contingency Plan (DCP) – approved by Council on **08/05/2025**

Staff Report: Drought Contingency Policy (August 5, 2025)