

ORDINANCE NO. 021226-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS, AMENDING THE DROUGHT CONTINGENCY PLAN OF THE CITY OF LA VERNIA; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of La Vernia, Texas recognizes that the amount of water available to the City and its water utility customers is limited and subject to depletion during periods of extended drought; and

WHEREAS, the City of La Vernia recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and

WHEREAS, Section 12.1272 of the Texas Water Code and applicable rules of the Texas Natural Resource Conservation Commission require all public water supply systems in Texas to prepare a drought contingency plan; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS:

Section 1. That the recitals contain in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 2. That the City of La Vernia, Texas 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.

Section 3. The City Administrator or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare.

Section 4. The City Administrator, or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan

Section 5. The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities

Section 6. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

Section 7. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

Section 9. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of La Vernia under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

Section 10. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

PASSED, APPROVED and ADOPTED by the City Council of the City of La Vernia, Texas, on this 12th day of February, 2026.

CITY OF LA VERNIA

Martin Poore, Mayor

ATTEST:

Madison Farrow, City Secretary

EXHIBIT A