

ORDINANCE NO. 040926-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS, ADOPTING A WATER CONSERVATION PLAN IN ACCORDANCE WITH TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND TEXAS WATER DEVELOPMENT BOARD REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING 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 recognizes that due to natural limitations, drought conditions, system failures, and other acts of God which may occur, the City cannot guarantee an uninterrupted water supply for all purposes at all times; and

WHEREAS, the Texas Water Code and the regulations of the Texas Commission Environmental Quality ("TCEQ") require that the City adopt a Water Conservation Plan; and

WHEREAS, Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code sets forth the TCEQ guidelines and requirements governing the development of water conservation plans for public water suppliers; and

WHEREAS, in accordance with 30 T.A.C. § 288.2, the City has devised a strategy or combination of strategies for reducing the volume of water withdrawn from its water supply source, for maintaining and improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water; and

WHEREAS, the City Council of the City of La Vernia has determined that it is in the best interest of the citizens of La Vernia, Texas to adopt a Water Conservation Plan; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code, the City is authorized to adopt such Ordinances necessary to preserve and conserve its water resources; and

WHEREAS, the City Council of the City of La Vernia desires to adopt the attached Water Conservation Plan as official City policy for the conservation of water.

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

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 Water Conservation 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 9th day of April, 2026.**

CITY OF LA VERNIA

Martin Poore, Mayor

ATTEST:

Madison Farrow, City Secretary

EXHIBIT A