

RESOLUTION NO. 111424-02

RELATING TO DROUGHT

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS
EXTENDING A DECLARATION OF LOCAL DISASTER; ESTABLISHING RULES
AND REGULATIONS FOR THE DURATION OF THE DISASTER; RESTRICTING
CERTAIN ACTIVITIES.**

WHEREAS, pursuant to Texas Government Code Section 418.108, the mayor of a municipality may declare a local state of disaster; and

WHEREAS, La Vernia, Texas has not had an extensive amount of rainfall for an extended period of time; and

WHEREAS, extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property attributed to ongoing serious drought conditions; and

WHEREAS, on October 26, 2024, the Governor of the state of Texas Greg Abbott approved a drought disaster; and

WHEREAS, the state of Texas has indicated that when a Declaration of Disaster regarding drought danger is in effect, water restrictions will be in place; and

WHEREAS, the City Council of the City of La Vernia feels that it is in the best interest of the city and its residents to declare this local Declaration of Disaster;

WHEREAS, on November 1st, 2024, the Mayor of the City of La Vernia signed and published the initial Disaster Declaration; and,

WHEREAS, the original disaster declaration signed by the mayor was valid for only 7 days, and the city council now determines that the declaration should be extended; and

WHEREAS, on November 14th, 2024, a resolution was presented to the City Council and signed by the Mayor, which extended the referenced disaster declaration to _____;
and

WHEREAS, the City Council feels that it may be in the best interest of the city to renew the disaster declaration once more by Resolution

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and

such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

- Section 2. That the local state of disaster declaration enacted by Mayor Marin Poore of the City of La Vernia pursuant to §418.108(a) of the Texas Government Code is hereby renewed and extended until _____ with the consent of the La Vernia City Council pursuant to §418.108(b) of the Government Code, including all rules and regulation attached hereto as Exhibit A.
- Section 3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- Section 4. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters herein.
- Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.
- Section 7. It is officially found, determined, and declared that the meeting at which this Resolution 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 Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.
- Section 8. This Resolution shall be in force and effect from and after its final passage.

PASSED, ADOPTED, and APPROVED the 14th day of November 2024.

Martin Poore, Mayor

ATTEST:

Madison Farrow, City Secretary

EXHIBIT A

CITY OF LA VERNIA
DECLARATION OF LOCAL DISASTER:
RELATING TO DROUGHT

WHEREAS, pursuant to Texas Government Code Section 418.108, the mayor of a municipality may declare a local state of disaster; and

WHEREAS, La Vernia, Texas has not had an extensive amount of rainfall for an extended period of time; and

WHEREAS, extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property attributed to ongoing serious drought conditions; and

WHEREAS, on October 26, 2024, the Governor of the state of Texas Greg Abbott approved a drought disaster; and

WHEREAS, The state of Texas has indicated that when a Declaration of Disaster regarding drought danger is in effect, water restrictions will be in place; and

WHEREAS, the City Council of the City of La Vernia feels that it is in the best interest of the city and its residents to declare this local Declaration of Disaster;

NOW, THEREFORE, A LOCAL DISASTER DECLARATION IS HEREBY DECLARED BY THE MAYOR OF THE CITY OF LA VERNIA: pursuant to the authority granted in the Texas Disaster Act of Chapter 418 Texas Government Code, the following regulations shall take effect immediately upon issuance of this Order and shall remain in effect until the state of disaster is terminated or extended:

1. Water restrictions will be in place, landscape watering with an irrigation system, sprinkler or soaker hose is allowed only once a week from 5-10 a.m. and 9 p.m.-midnight on your designated watering day, as determined by your address. Watering with a hand-held hose is allowed at any time on any day. Watering with drip irrigation is permitted Monday/Friday, but only 5-10 a.m. and 9 p.m.-midnight. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited. Residential car washing allowed during drought once per week on Saturday or Sunday as long as there is no water waste.

2. Pursuant to §418.108(b) of the Government Code, the state of disaster Declaration shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council.
3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. The City Secretary is directed to give prompt and general publicity of the issuance of this DECLARATION and place same before the City Council for consideration for continuation at its next regular meeting.
5. This proclamation shall take effect immediately from and after its issuance.
6. As Mayor, I further reserve all other authority and powers conferred by state law to respond as necessary to this situation.

ORDERED this 1st day of November 2024.

MAYOR MARTIN POORE
City of La Vernia, Texas