

ORDINANCE NO. 741

AN ORDINANCE OF THE CITY OF MANOR, TEXAS AMENDING CHAPTER 13, UTILITIES, ARTICLE 13.08, WATER CONSERVATION, ORDINANCE 360, OF THE CODE OF ORDINANCES OF THE CITY OF MANOR, TEXAS; ADOPTING THE UPDATED WATER CONSERVATION PLAN AND DROUGHT CONTINGENCY PLAN; PROVIDING UPDATED REQUIREMENTS AND SCHEDULES REQUIRED BY STATE LAW; AMENDING, RESTATING AND REPLACING MEASURES WITH THE UPDATED PLAN PROVISIONS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.

Whereas, the City of Manor, Texas (the “City”) is a home rule municipality having the full power of local self-government pursuant to its Charter, Article XI, Section 5 of the Texas Constitution, and Chapter 9 of the Texas Local Government Code; and

Whereas, a water conservation plan and a drought contingency plan are fundamental to the public health, safety and welfare and the protection of people of the state, their resources and the environment; and

Whereas, because of the water conditions prevailing in the City, the general welfare requires that the water resources available to the City be put to maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use, or unreasonable method of use of water is to be prevented and the conservation of such water is to be extended with a view to the reasonable and beneficial use thereof in the interests of the people of the City and for the public health and welfare; and

Whereas, the City Council of the City of Manor (“City Council”) finds it necessary to provide for and establish additional water conservation measures and schedules in order that water conservation may be promptly implemented during the summer months and times of water shortage, for the preservation and protection of the health and safety of the City's residents; and

Whereas, the City Council desires to permit prompt implementation of conservation measures and outdoor watering schedules commensurate with the beginning of the summer months and other times when system demand for water increases, or there is a shortage of water; and

Whereas, the City Council of the City of Manor (the “City Council”) finds that the adoption of a water conservation plan and a drought contingency plan are needed to protect the general health, safety, and welfare of the residents of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT;

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and incorporated herein for all purposes as findings of fact.

SECTION 2. Amendment of Code of Ordinances. The City Council hereby amends Chapter 13, Utilities, Article 13.08 Water Conservation of the Manor Code of Ordinances to update and adopt a water conservation plan and a drought contingency plan by amending, restating and relacing Article 13.08 in its entirety to reflect the text in attached Exhibit A.

SECTION 3. Adoption of Water Conservation Plan and Drought Contingency Plan. The City Council hereby adopts the Water Conservation Ordinance attached hereto as Exhibit A as the City's Water Conservation Plan and Drought Contingency Plan.

SECTION 4. Conflicting Ordinances. The Manor Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 5. Savings Clause. All rights and remedies of the City of Manor are expressly saved as to any and all violations of the provisions of any ordinances affecting subdivision within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code and the City Charter.

SECTION 7. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this 1st day of May 2024.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey, Mayor

ATTEST:

Lluvia T. Almaraz, City Secretary

EXHIBIT A