

CITY OF SANGER, TEXAS

ORDINANCE 04-07-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE CITY OF SANGER CODE OF ORDINANCES, CHAPTER 13 “UTILITIES,” ARTICLE 13.2200 “WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN,” SECTION 13.2201 “PLAN,” TO AMEND THE WATER CONSERVATION, AND DROUGHT CONTINGENCY PLAN; PROVIDING A PENALTY CLAUSE AND PROVIDING A SERVERABILITY CLAUSE AND PROVIDING FOR THE REPEAL OF ALL ORDINANCE IN CONFLICT; PROVIDING FOR NO CULPABLE MENTAL STATE BEING REQUIRED FOR CONVICTION; DECLARING ADOPTION OCCURRING AT A MEETING OPEN TO THE PUBLIC; PROVIDING FOR PUBLICATION AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require a Water Conservation and Drought Contingency Plan (the “Plans”); and

WHEREAS, the Drought Contingency Plan provides measures that may be needed during drought conditions, during an emergency and/or when water use approaches the system supply that helps reduce water usage and temporarily reduce demand placed on the City’s water system, and

WHEREAS, the Water Conservation Plan establishes certain rules and policies for the orderly and efficient management of water supplies to reduce consumption, reduce waste and improve water use efficiency; and

WHEREAS, public notice has been given and the public has had an opportunity to provide input on the Drought Contingency Plan

WHEREAS, the City Council finds that the passage of this Ordinance is in the best interest of the citizens of Sanger.

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

SECTION 1. Chapter 13 “Utilities”, Article 13.2200 “Water Conservation and Drought Contingency Plan”, Section 13.2201 “Plan” of the Code of Ordinances of the City of Sanger, Texas be amended by amending Section 13.2201 “Plan” to read as follows:

Section 13.2201. Plan

The city’s Water Conservation and Drought Contingency Plan attached to Ordinance 04-06-24 as Exhibit A is hereby adopted and the regulations contained therein are subject to enforcement as if set out in full and made a part of this article.

SECTION 2. Exhibit “A,” attached to Ordinance 04-7-19 and adopted on April 1, 2019, is amended in its entirety to read as set forth in Exhibit “A”, attached hereto and incorporated herein by referenced for all intents and purposes.

SECTION 3. Any person, firm, or corporation who shall violate any of the provisions of this article shall be quality of a misdemeanor and upon conviction shall be fines in an amount not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 4. If any section, article, paragraph, sentence, clause, phase or word in this ordinance, or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. Neither allegation nor evidence of a culpable mental state is required proof of an offense under this ordinance.

SECTION 7. 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 law.

SECTION 8. This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sanger, Texas, on this _____ day of _____, 2024.

APPROVED:

Thomas E. Muir, Mayor

ATTEST:

Kelly Edwards, City Secretary

APPROVED AS TO FORM:



Courney Goodman-Morris
Interim City Attorney
4894-5638-6481, v. 1