

ORDINANCE NO. 100

AN ORDINANCE ADOPTING A CITY OF WALLIS WATER  
CONSERVATION PLAN AND DROUGHT CONTINGENCY PLAN

BE IT REMEMBERED THAT THE CITY COUNCIL OF WALLIS, TEXAS, CONSIDERED THE FOLLOWING PRIOR TO ENACTMENT OF THIS ORDINANCE:

That, The City of Wallis is in the process of issuing its \$505,000.00 Sanitary Sewer System Improvements Bonds, Series 1986 (the "Bonds"); and

That, The Texas Water Development Board (the "Board") has committed to purchase the Bonds from the City, subject to the City complying with various rules and regulations; and

That, The Board's rules require that the City adopt a Water Conservation/Drought Contingency Plan which has been approved by the Executive Director of the Board; and

That, the City has previously submitted to the Board a proposed Water Conservation/Drought Contingency Plan which has been reviewed and commented upon by the Board and the City has made certain required changes therein and adopted certain additional ordinances related thereto as required by the Board; and

That, the City Council has determined there is an urgent need in the best public interest of the City of Wallis, Texas to adopt a Water Conservation Plan and Drought Contingency Plan, and the City Council further determines that such public need is of an emergency nature and the legal requirement of three required separate readings of the subject ordinance be dispensed with and waived; and

That, the City Council of the City now desires to evidence its approval of the Water Conservation/Drought Contingency Plan and adopt such plan as an official policy of the City; Now, Therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF WALLIS, TEXAS:

Section 1: Approval of the Plan. The City Council hereby approves and adopts as the City's Water Conservation Plan the Water Conservation/Drought Contingency Plan attached hereto as Exhibit "A" to be included in full as a part of this Ordinance as if recited verbatim herein. The City commits to implement the program according to the procedures set forth in the adopted plan.

Section 2: The City shall report to the Texas Water Development Board annually on the implementation and effectiveness of the plan in accordance with the outline set forth in the plan.

Section 3: In regards to implementation and enforcement of the Conservation/Drought Contingency Plan the Mayor is designated as the official responsible for implementation and enforcement, and the following guidelines are adopted:

- (a) Mild Conditions: At any time total city water production attains 80% or more of the maximum capacity of the fresh water reserves for the city, the Mayor shall be authorized to request voluntary compliance by all users and initiate other measures in accordance with the Conservation/Drought Contingency Plan as setout in the said attached plan.
- (b) Serious Conditions: At any time total city water production attains 90% or more of the maximum capacity of the fresh water reserves for the city, and/or the water pressure in the distribution system falls to 40 psi as indicated by the primary water system pressure guage located in the main City Hall building the Mayor shall implement compulsory compliance by all users in accordance with the Conservation/Drought Contingency Plan as setout in the said attached plan.
- (c) Critical Conditions: At any time total city water production attains 100% or more of the maximum capacity of the fresh water reserves for the city, and/or the water pressure in the distribution system falls to 35 psi as indicated by the primary water system pressure guage located in the main City Hall building, an excess usage penalty shall be imposed on all users not acting in compliance with the Conservation/Drought Contingency Plan attached hereto in accordance with the standards of usage outlined within the plan and with the penalties established therein.

In the event the item 3 above, Critical Conditions persists for an extended period of time the City may ration water usage or terminate service to selected users of the system in accordance with the following sequence:

First: Industrial Users  
Second: Commercial Users  
Third: Residential Users  
Last: Public Health and Safety Facilities

Section 4: Users of city water, except for the City, that do not comply with Section 3 of this ordinance shall be subject to a penalty and fine of not less than \$10.00 per day nor more than

\$200.00 per day for each day of non-compliance to be established by City Council and/or disconnection or discontinuance of water services to such users by the City.

Section 5: The City Council finds and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the Council was posted at a designated place convenient to the public at the City Hall for the time required by law preceding this meeting and that such place of posting was readily accessible at all times to the general public; that all of the foregoing was done as required by law; and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

Section 6: The Council further officially finds and determines that an emergency and urgent public necessity exists which requires the holding of the meeting at which this Ordinance is passed and approved, such emergency and urgent public necessity being that the need to finance the construction of additions and improvements to the existing wastewater collection and treatment system and the urgent need to issue bonds to obtain funds to finance such improvements at the earliest possible date creates an emergency and urgent public necessity requiring the consideration of such Ordinance even if this notice has not been posted for a least 72 hours preceding the scheduled time of such meeting and that the notice of this meeting expressed such emergency and urgent public necessity.

PASSED AND APPROVED this 30th day of September, 1986.

CITY OF WALLIS, TEXAS

ATTEST:

BY: Betty Marek  
BETTY MAREK,  
CITY CLERK

BY: August D. Zurek  
AUGUST D. ZUREK,  
MAYOR

APPROVED:

BY: [Signature]  
V. O. "BUTCH" CARDEN, JR.,  
ATTORNEY FOR CITY