

**ORDINANCE NO. 19-105**

**AN ORDINANCE AMENDING THE CITY OF FORT STOCKTON'S CODE OF ORDINANCES, CHAPTER 24, UTILITIES\*, ARTICLE 1. IN GENERAL, SECTION 24-1. DROUGHT CONTINGENCY PLAN AND INCORPORATING SECTION 24-2. WATER CONSERVATION PLAN FOR THE CITY OF FORT STOCKTON TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO ESTABLISH CRITERIA FOR THE INITIATION AND TERMINATION OF RESPONSE STAGES INCLUDING RESTRICTIONS AND PROVIDING FOR PENALTIES AND/OR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Fort Stockton, Texas (City), recognizes that the amount of water available to its citizens and customers is limited; &

**WHEREAS**, the City recognizes that drought, system failure and other acts of God may occur and that the City cannot guarantee an uninterrupted water supply for all purposes at all times; &

**WHEREAS**, the City desires to conserve water resources and prepare for drought; &

**WHEREAS**, the City desires to comply with Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality which require these plans for all public water supply systems; &

**WHEREAS**, the City desires to comply with the rules of the Texas Water Development Board should it decide to avail itself of various financial assistance programs found in Title 31, Texas Administrative Code Chapter 363; &

**WHEREAS**, pursuant to Chapter 54 of the Local Government Code and in the best interests of its citizens, the City is authorized to adopt Ordinances it deems are necessary and expedient to preserve and conserve its water resources and to prepare for drought.

**CHAPTER 24**  
**UTILITIES\***  
**ARTICLE I. IN GENERAL**

**Sec. 24-1. Drought Contingency Plan.**

The Updated City of Fort Stockton, Texas Drought Contingency Plan as required by Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter B, Rule § 288.20, J(3)c and attached to Ordinance No. 19-105 as Exhibit "B" and made part hereof by reference for all purposes be, and the same is hereby, adopted as the official policy of the City.

**Sec. 24-2. Water Conservation Plan.**

The City of Fort Stockton, Texas Water Conservation Plan attached to Ordinance No. 19-105 as Exhibit "A" and made part hereof by reference for all purposes be, and the same is hereby, adopted as the official policy of the City.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT STOCKTON, TEXAS, THAT:**

**Section 1.** The City Council does hereby find and declare that sufficient and timely written notice of place and subject matter of this meeting adopting this Ordinance was posted. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

**Section 2.** The City Council adopts the Water Conservation & Drought Contingency Plans attached to this ordinance. All ordinances that are in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3.** Should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected.


**Section 4.** The City Secretary is hereby authorized and directed to publish this Ordinance.

**Section 5.** The City Manager or chief administrative officer or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Water Development Board in accordance with Title 31, Chapter 363 of the Texas Administrative Code.

**Section 6.** This Ordinance shall immediately take effect after its passage and publication.

**PASSED AND APPROVED** by the Fort Stockton City Council on this 9th day of April, 2019.

  
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**Frank Rodriguez III, City Manager**

  
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**Joe Chris Alexander, Mayor**

**ATTEST:**

  
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**Delma A. Gonzalez, City Secretary**

**Approved As To Form & Legality:**

  
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**Jesse Gonzales, Jr., City Attorney**