

**CITY OF THORNDALE
ORDINANCE NO. 2024-03**

AN ORDINANCE OF THE CITY OF THORNDALE, TEXAS ADOPTING A WATER CONSERVATION PLAN TO PROMOTE RESPONSIBLE USE OF WATER AND TO PROVIDE PENALTIES AND/OR DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE THORNDALE UTILITY SYSTEM WATER CONSERVATION PLAN – 2024; PROVIDING FOR SAVINGS, REREALING AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Thorndale (the “City”) recognizes that the amount of water available to its water customers is limited; and

WHEREAS, the City recognizes that due to natural limitations, drought conditions, system failures and other acts of God which may occur, the City cannot guarantee an uninterrupted water supply for all purposes at all times; and

WHEREAS, the Water Code, and the regulations of the Texas Commission on Environmental Quality (the “Commission”) require that the City adopt a Water Conservation Plan; and

WHEREAS, the City has determined an urgent need and in the best interest of the public to adopt a Water Conservation Plan; and

WHEREAS, pursuant to Chapter 54 of the Texas Local Government Code, the City is authorized to adopt such ordinances necessary to preserve and conserve its water resources; and

WHEREAS, the City Council hereby finds and determines that the regulations and amendments set forth herein are in the best interests of the public and are adopted in furtherance of the public health, safety, morals and general welfare.

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

SECTION 1.0 FINDING OF FACT

All of the above premises are found to be true and correct factual and legislative determinations by the City of Thorndale and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2.0 WATER CONSERVATION PLAN

The City Council hereby approves and adopts the City of Thorndale – Thorndale Utility Systems Water Conservation Plan – 2024 (the “Plan”) attached hereto as Exhibit A, as if recited verbatim, herein. The City commits to implement the requirements and procedures set forth in the adopted Plan. The City Administrator or designee is hereby directed to file a copy of the Plan and this Ordinance with the Commission in accordance with Title 30, Chapter 288 of the Texas Administrative Code.

SECTION 3.0 SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and section of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any remaining phrases, clauses, sentence, paragraphs and section of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section .

SECTION 4.0 REPEALER CLAUSE

Any provision of any prior ordinance of the City whether codified or uncoded, which is in conflict with any provisions of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncoded, which are not in conflict with the provisions of this Ordinance shall remain in full force an effect

SECTION 5.0 PENALTY CLAUSE

Any customer, defined pursuant to 30 Texas Administrative Code Chapter 291, failing to comply with the provisions of the Plan shall be subject to a fine of up to two thousand dollars (\$2,000.00) and/or discontinuance of water service by the City. Proof of a culpable mental state in not required for a conviction of an offense under this section. Each day a customer fails to comply with the Plan is a separate violation. The City’s authority to seek injunctive relief available under the law is not limited by this section.

SECTION 6.0 PROPER NOTICE AND MEETING

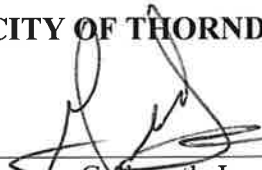
It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and the public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

SECTION 7.0 EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage and publication as required by law.

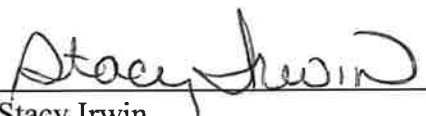
PASSED AND APPROVED this, 13th day of March, 2024, by a vote of 5 (*ayes*) to _____ (*nays*) to _____ (*abstentions*) of the City Council of Thorndale, Texas.

CITY OF THORNDALE, TEXAS



George Galbreath Jr.
Mayor

ATTEST:



Stacy Irwin
City Secretary

