

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE AMENDING AND UPDATING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES, TITLE V. PUBLIC WORKS, CHAPTER 53, WATER AND SEWERS, DROUGHT CONTINGENCY PLAN AND PROVIDING THAT VIOLATIONS OF THIS ORDINANCE ARE CLASS C MISDEMEANORS SUBJECT TO FINES NOT TO EXCEED \$2,000.00; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR OPEN MEETING AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Pflugerville, Texas, recognizes that the amount of water available to the City and its water utility customers is limited and subject to depletion during periods of extended drought or upon failure of major system components; and

**WHEREAS**, the City recognizes that natural limitations due to drought conditions and other acts of force majeure cannot guarantee an uninterrupted water supply for all purposes; and

**WHEREAS**, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality (“TCEQ”), including Title 30, Chapter 288, Subchapters A and B of the Texas Administrative Code require all public water supply systems in Texas to prepare, update and adopt a water conservation and drought contingency plan at a minimum at least every five years; and

**WHEREAS**, the City previously updated and adopted the City’s current water conservation and drought contingency plan under Chapter 53, of the City’s Code of Ordinances; and

**WHEREAS**, in accordance with the regulations established by the TCEQ, it is necessary to review, update and adopt an amended water conservation and drought contingency plan; and

**WHEREAS**, as authorized under law, and in the best interests of the citizens of Pflugerville, Texas, and its customers, the City Council deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

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

**Section 1:** That the Code of Ordinances, City of Pflugerville, Texas, Title V. Public Works, Chapter 53, Water and Sewers, Drought Contingency Plan, is hereby amended and updated as set forth in Exhibit A attached hereto and incorporated for all purposes.

**Section 2:** That the recitals contained in the preamble hereto are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 3.** All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.

**Section 4.** Cumulative and Repealer Clause. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, Texas, and shall not operate to repeal or affect any other ordinances of the City except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed to the extent of such conflict.

**Section 5.** That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 6:** This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

**PASSED AND APPROVED** this \_\_\_\_ day of December, 2022.

**CITY OF PFLUGERVILLE, TEXAS**

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**Victor Gonzales, Mayor**

**ATTEST:**

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**Trista Evans, City Secretary**

APPROVED AS TO FORM:

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Charles E. Zech, City Attorney  
DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.