

ORDINANCE NO. 2009-O-7A

AN ORDINANCE OF THE CITY OF ANGLETON AMENDING ORDINANCE NO. 2005-O-4A, ADOPTING THE CITY OF ANGLETON WATER CONSERVATION DROUGHT CONTINGENCY PLAN (1999) AS REVISED JUNE 2009; AUTHORIZING SUBSEQUENT AMENDMENTS, UPDATES, ETC. TO BE MADE TO THE DROUGHT CONTINGENCY PLAN, AS MANDATED BY THE TEXAS WATER DEVELOPMENT BOARD; PROVIDING A PENALTY OF NOT LESS THAN \$200 OR MORE THAN \$500 FOR EACH VIOLATION AND MAKING EACH DAY A VIOLATION CONTINUES A SEPARATE VIOLATION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR A REPEALER AND SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the City of Angleton last adopted a drought contingency plan on April 26, 2005, by enacting Ordinance No. 2005-O-4A; and

WHEREAS, plans to ensure water conservation throughout the State of Texas are constantly being reviewed, updated and modified to insure conservation for the benefit of the health, safety and welfare of the residents of the City of Angleton.

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

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. The City of Angleton, Texas hereby amends Ordinance 2005-O-4A and adopts the “City of Angleton Water Conservation-Drought Contingency Plan (1999) Revised June 2009 (“Plan”) attached hereto and incorporated herein for all purposes as if set forth in this Ordinance word for word.

SECTION 3. This “Plan” may be amended or updated as necessary or as mandated by the “Texas Water Development Board”.

SECTION 4. REPEALER AND SAVINGS. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict only.

SECTION 5. SEVERABILITY. If any section or part of this Ordinance is unconstitutional, illegal, or invalid, then such unconstitutionality, illegality, or invalidity of such section or part shall in no way effect, impair, or invalidate the remaining portion thereof, but such remaining portion shall remain in full force and effect.

SECTION 6. OPEN MEETINGS. The City Council has found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of this meeting was given as required by the Texas Open Meetings Act, Chapt. 551, Tex. Gov't. Code, as amended, and that a quorum was present.

SECTION 7. PENALTY CLAUSE. Any person, firm, corporation or other legal entity violating any provisions of this Ordinance shall, upon conviction, be fined not more than \$200. Each day or portion of a day during which any violation continues shall be a separate offense.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective not less than ten days from the date of its passage in accordance with the City Charter and the City Secretary is hereby directed to cause the caption of this Ordinance to be published in the official newspaper of the City at least once within ten days after the passage of the Ordinance.

PASSED AND APPROVED on the 28th day of July, 2009.

CITY OF ANGLETON, TEXAS

J. PATRICK HENRY, MAYOR
CITY OF ANGLETON

ATTEST:

SHELLY DEISHER, CITY SECRETARY

APPROVED AS TO FORM:

HERBERT L. PROUTY, INTERIM CITY ATTORNEY