

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING TITLE V, CHAPTER 52 OF THE CARROLLTON CITY CODE BY REPEALING ORDINANCE NUMBER 3907; ADOPTING AN AMENDED WATER CONSERVATION AND DROUGHT CONTINGENCY (EMERGENCY RESPONSE) PLAN THAT PROMOTES RESPONSIBLE USE OF WATER AND ESTABLISHES RESTRICTIONS ON CERTAIN WATER USES RELATED TO DROUGHT OR SHORTAGES; PROVIDES A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 PER DAY FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY (EMERGENCY RESPONSE) PLAN, AND PROVIDES FOR DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY (EMERGENCY RESPONSE) PLAN; PROVIDING FOR A SAVINGS, REPEAL, AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City recognizes that due to normal limitations due to 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, applicable law and regulations of the Texas Commission on Environmental Quality require that the City adopt a Water Conservation Plan and Drought Contingency Plan; and

WHEREAS, the Texas Administrative Code requires retail public water suppliers to review and update, as appropriate, the drought contingency plan at least every five years; and

WHEREAS, the City has determined it is in the best interest of the public to amend its current Water Conservation and Drought Contingency Plan; and

WHEREAS, the City Council of the City of Carrollton desires to amend the Water Conservation and Drought Contingency Plan previously adopted by Ordinance Number 3907 and adopt the attached plan as official City policy;

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

SECTION 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

Ordinance Number 3907 adopted on April 16, 2019, adopting the current Water Conservation and Drought Contingency Plan is hereby repealed.

SECTION 3

The City Council hereby approves and adopts the City's Water Conservation and Drought Contingency (Emergency Response) Plan, attached hereto as Exhibit A, and 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 4

The Carrollton Code of Ordinances, Title V, Public Works Section 52.020 – Adoption by reference, is hereby amended to read as follows:

“The Water Conservation and Drought Contingency (Emergency Response) Plan of the City, approved and adopted by ordinance on April 2, 2024, is hereby adopted by reference and incorporated into this Code as if fully set forth herein.”

SECTION 5

Any person, firm or corporation violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

SECTION 6

This Ordinance shall be cumulative of all other ordinances of the City of Carrollton, Texas, and save as amended by this ordinance, Title V of the Carrollton City Code shall remain in full force and effect.

SECTION 7

This Ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 8

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas, this 2nd day of April, 2024.

CITY OF CARROLLTON

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:

Cory Heiple
Environmental Services Director