

ORDINANCE NO. 1319

**ADOPTION OF A DROUGHT CONTINGENCY PLAN
WHOLESALE AND RETAIL PUBLIC
UTILITY CUSTOMERS**

AN ORDINANCE OF THE CITY OF MONAHANS, TEXAS, UPDATING/REVISING THE DROUGHT CONTINGENCY PLAN; ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES, FINE FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Monahans, 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; and

WHEREAS, the City recognizes that natural limitations due to drought conditions and other acts of God 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 require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interest of the citizens of Monahans, Texas, the City Council of the City of Monahans 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 OF MONAHANS, TEXAS:

SECTION 1.

That the City of Monahans, Texas Drought Contingency Plan attached hereto as Appendix A and Appendix B made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

SECTION 2.

That all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3.

Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4.

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

THE FOREGOING ORDINANCE WAS DULY READ, PASSED, AND APPROVED by the City Council of the City of Monahans, Texas:

ON FIRST READING on the 26th day of March, 2024 by the following votes:

Gerald Stava	<u>"Aye"</u>
Jeppie Wilson	<u>"Aye"</u>

Calvin Carrell "Aye"
Ivy Valenzuela "Aye"
Richard Hawkins "Aye"

ON SECOND AND FINAL READING on the 9th day of April, 2024 by the following votes:

Gerald Stava "Aye"
Jeppie Wilson "Aye"
Calvin Carrell "Aye"
Ivy Valenzuela "Aye"
Richard Hawkins "Aye"



ATTEST:

Tonya Todd
Tonya Todd, City Secretary

APPROVED:

Adam Steen
Adam Steen, Mayor