

ORDINANCE NO. 1928

AN ORDINANCE AMENDING THE CITY OF KELLER CODE OF ORDINANCES, CHAPTER 19, WATER AND SEWERS, ARTICLE XIV, WATER CONSERVATION AND DROUGHT CONTINGENCY, SECTION 19-1600, ADOPTION OF PLAN AND POLICIES, BY DELETING ATTACHMENT "A", WATER CONSERVATION PLAN, IN ITS ENTIRETY AND ADDING AN UPDATED ATTACHMENT "A", WATER CONSERVATION PLAN, AND BY DELETING ATTACHMENT "B", DROUGHT CONTINGENCY AND EMERGENCY WATER MANAGEMENT PLAN, IN ITS ENTIRETY AND ADDING AN UPDATED ATTACHMENT "B", DROUGHT CONTINGENCY AND EMERGENCY WATER MANAGEMENT PLAN.

WHEREAS, the City of Keller, Texas 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, Chapter 11 of the Texas Water Code and Title 30 Texas Administrative Code Chapter 288 to require retail public water suppliers with 3,300 or more connections to submit an updated Water Conservation Plan and an updated Drought Contingency and Water Management Plan to the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ) by May 1, 2019; and

WHEREAS, the City of Fort Worth updated its Water Conservation Plan and Drought Contingency and Emergency Water Management Plan in April of 2019; and

WHEREAS, the City of Keller, by contract, must adopt no less than the same restrictions and requirements of the City of Fort Worth as it relates to these plans; and

WHEREAS, the City has determined it is in the best interest of the public to adopt an updated Water Conservation Plan and an updated Drought Contingency and Emergency Water Management Plan; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code, the City is authorized to adopt such Ordinances

necessary to preserve and conserve its water resources.

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

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, Chapter 19, Water and Sewers, Article XIV, Water Conservation and Drought Contingency, Section 19-1600 Adoption of plan and policies, is hereby amended by deleting Attachment "A", Water Conservation Plan, in its entirety and adding an updated Attachment "A", Water Conservation Plan for the City of Keller, and by deleting Attachment "B" Drought Contingency and Emergency Water Management Plan, in its entirety and adding an updated Attachment "B", Drought Contingency and Emergency Water Management Plan for the City of Keller.

Section 3: THAT, the City commits to implement the requirements and procedures set forth in the adopted Plans.

Section 4: THAT, the City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

Section 5: THAT, should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected.

Section 6: THAT, the City Manager or his designee is hereby directed to file a copy of this Ordinance, the updated Water Conservation Plan and the updated Drought

Contingency and Emergency Water Management Plan with the TWDB, the TCEQ and the City of Fort Worth, as required.

Section 7: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method of publication provided by law.

Section 8: THAT, this Ordinance shall become effective upon its adoption and publication provided by law.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 6 to 0 on this the 16th day of April, 2019.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
P.H. McGrail, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

\_\_\_\_\_  
L. Stanton Lowry, City Attorney