

**ORDINANCE 2013-04**

**AN ORDINANCE OF THE CITY OF LA FERIA ADOPTING A WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF LA FERIA TO PROMOTE RESPONSIBLE USE OF WATER AND TO ESTABLISH CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES INCLUDING RESTRICTIONS AND PROVIDING FOR PENALTIES AND/OR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of La Feria, Texas (City), recognizes that the amount of water available to its citizens and customers is limited; and

**WHEREAS**, the City recognizes that drought, system failure and other acts of God may occur and that the City cannot guarantee an uninterrupted water supply for all purposes at all times; and

**WHEREAS**, the City desires to conserve water resources and prepare for drought; and

**WHEREAS**, the City desires to comply with Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality which require these plans for all public water supply systems; and

**WHEREAS**, the City desires to comply with the rules of the Texas Water Development Board should it decide to avail itself of various financial assistance programs found in Title 31, Texas Administrative Code Chapter 363; and

**WHEREAS**, pursuant to Chapter 54 of the Local Government Code and in the best interests of its citizens, the City is authorized to adopt Ordinances it deems are necessary and expedient to preserve and conserve its water resources and to prepare for drought;

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS THAT:**

**Section 1.** The City Commission does hereby find and declare that sufficient and timely written notice of place and subject matter of this meeting adopting this Ordinance was posted. The City Commission further ratifies, approves and confirms such written notice and the posting thereof.

**Section 2.** The City Commission adopts the Water Conservation & Drought Contingency Plans attached to this ordinance. All ordinances that are in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3.** 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 4.** The City Secretary is hereby authorized and directed to publish caption of this Ordinance in the official newspaper of the City; and.

**Section 5.** The City Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance and the Water Conservation and Drought Contingency Plan with the Texas Water Development Board in accordance with Title 31, Chapter 363 of the Texas Administrative Code.

**Section 6.** This Ordinance shall take effect after passage and publication.

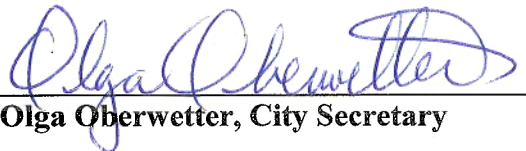
**PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF LA FERIA ON THIS 23<sup>rd</sup> DAY APRIL 2013.**

**APPROVED:**



**Steve Brewer, Mayor**

**ATTEST:**



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**Olga Oberwetter, City Secretary**

**APPROVED AS TO FORM:**



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**Richard S. Talbert, City Attorney**