

ORDINANCE NO. 2019-01

AN ORDINANCE REVISING THE DROUGHT MANAGEMENT PLAN; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY AND AN EFFECTIVE DATE

WHEREAS Section 11.1272 of the Texas Water Code requires all public water supply systems in Texas to prepare a drought contingency plan; and,

WHEREAS the City of Ingleside on the Bay adopted a Drought Management Plan (Plan) on July 16, 2013, and the City Council has determined it is necessary to make revisions to the Plan; and,

WHEREAS the City Council has determined that the revisions to the Plan are necessary for the orderly and efficient management of limited water supplies during drought and other water supply emergencies; and,

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE ON THE BAY, TEXAS:

Section 1: The San Patricio Municipal Water District (SPMWD) Drought Contingency Plan attached as Exhibit A is hereby adopted.

Section 2: Ordinance 2013-03 is hereby repealed.

Section 3: There is hereby established a City of Ingleside on the Bay Drought Contingency Plan, a true copy of which is on file in the office of the city secretary, which is hereby adopted, and shall be followed in matters concerning water conservation, drought management, and water supply enhancement programs.

Section 4. It is hereby declared that the general welfare requires that the water resources available to the city be put to the maximum beneficial use to the extent to which they are capable. The waste or unreasonable use, or unreasonable method of use of water be prevented, and the conservation of such water is to be extended with a view to the reasonable and beneficial use thereof in the interests of the people of the area served by the city's water resources and for the public welfare.

In making decisions under this article concerning the allocation of water between conflicting interests, highest priority will be given to allocation necessary to support human life and health; i.e., the minimum amount of water necessary for drinking, prevention of disease, and the like.

Second highest priority will be given to allocations which will result in the least loss of employment to persons whose income is essential to their families.


Section 5. The Mayor, or designee, is hereby authorized and directed to implement the applicable provisions of this article upon their determination that such implementation is necessary to protect the public welfare and safety. In this Article, "Mayor" means the Mayor or the Mayor's designee.

Section 6. If any provision, section, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

Section 7. Any person who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding one thousand dollars (\$1,000.00). Each and every day that a violation of this Ordinance occurs shall constitute a separate offense.

Section 8. This Ordinance shall be effective upon adoption and publication of the caption hereof in the official newspaper of the City.

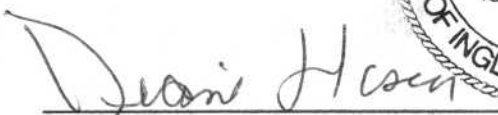
7th **PASSED** and **APPROVED** by the City Council of Ingleside on the Bay, Texas this day of May 2019.



Jo Ann Ehmann
Mayor



ATTEST:



Diane Hosea
City Secretary