

ORDINANCE NO 855

“Amending the Drought Contingency Plan Ordinance To Incorporate A Once Per Week Watering Schedule”

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING CHAPTER 38 (UTILITIES), ARTICLE VIII (DROUGHT CONTINGENCY REQUIREMENTS), SECTION 38-205 (PERMANENT WATER USE RESTRICTIONS-RESPONSIBLE CONSERVATION) OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING

WHEREAS, the City Council (the “Council”) of the City of Granite Shoals, Texas (the “City”) seeks to provide for the public health, safety and welfare of its citizens; and

WHEREAS, the Council 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 Council recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and

WHEREAS, a Water Conservation and Drought Contingency Plan for the City of Granite Shoals has been established in accordance with the requirements of Title 30, Texas Administrative Code, Chapter 288; and

WHEREAS, on February 21, 2024, the Lower Colorado River Authority (“LCRA”) Board of Directors adopted a restriction requiring that its firm water customers implement a once per week watering schedule triggered when the combined storage in lakes Buchanan and Travis is below 900,000 acre-feet, or 45% of capacity; and

WHEREAS, as authorized under law, and in the best interest of the citizens of Granite Shoals, Texas, the Council deems it expedient and necessary to establish certain rules and policies for the orderly and efficient conservation and management of limited water supplies during drought and other water supply emergencies.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Granite Shoals and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION II AMENDMENT

Chapter 38 (Utilities), Article VIII (Drought Contingency Requirements) of the City of Granite Shoals Code of Ordinances is hereby amended:

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Sec. 38-205 Permanent water use restrictions – Responsible Conservation

The following restrictions apply to all customers of the City of Granite Shoals Water Utility Systems on a year round basis, regardless of the water supply or water treatment plant production conditions and regardless of any drought stage declared by the City pursuant to this Article. The intent of these restrictions is to avoid and prevent the wasting of water. These restrictions require a water customer to take action within a reasonable time to:

(1) Repair a controllable leak including leaking or broken pipes, a leaking valve, a broken sprinkler head or a severely leaking faucet.

(2) Repair or adjust an irrigation system so as to:

a. Prevent watering of roads, parking lots sidewalks or other impervious surfaces.

b. Prevent run off from a property or forming a stream or pool of water in a road or drainage ditch.

(3) Landscape water use restrictions:

a. LCRA drought restrictions. Any time the combined storage of lakes Buchanan and Travis drops below 900,000 acre-feet, irrigation of ornamental landscape areas with hose-end sprinklers or automatic irrigation systems, other than drip irrigation, is limited to no more than once per week, with such restrictions to remain in place until the combined storage of Lakes Buchanan and Travis increases to at least 1.1 million acre-feet. Enforcement of this provision shall be pursuant to enforcement of violations of Stage 2 or Stage 3 water restrictions found in Section 38-214 (b) of this Article.

b. All other times. When LCRA restrictions on landscape watering referenced in Section 38-205(3)(a) are not in effect, irrigation of ornamental landscape areas is limited to between the hours of 12:00 midnight and 10:00 a.m. or between 8:00 p.m. and 12:00 midnight on designated outdoor water use days. Enforcement of this provision shall be pursuant to enforcement of violations of Stage 2 or Stage 3 water restrictions found in Section 38-214 (b) of this Article.

1. Customers with even number street addresses may water with sprinklers or other means on Thursday and Sunday between the hours of 12:00 midnight or 10:00 a.m. and between the hours of 8:00 p.m. and 12:00 midnight only.

2. Customers with odd number street addresses may water with sprinklers or other means on Wednesday and Saturday between the hours of 12:00 midnight or 10:00 a.m. and between the hours of 8:00 p.m. and 12:00 midnight only.

3. Irrigation of landscapes is permitted at any time with a hand-held hose or a faucet-filled bucket or water can of five gallons or less.

(4) Prevent any other senseless waste of water.”

SECTION III SAVINGS

The amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION IV SEVERABILITY

If any provision, section, sentence, clause or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Granite Shoals in adopting, and of the Mayor in approving this ordinance, that no portion thereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION V REPEALER

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinance or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

SECTION VI

EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION VII PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

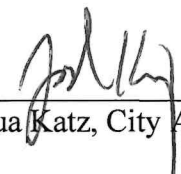
READ, PASSED, AND ADOPTED THIS 12th DAY OF March, 2024.

By: 
Ron Munos, Mayor

ATTEST:


Dawn Wright, City Secretary

APPROVED AS TO FORM:


Joshua Katz, City Attorney

