

ORDINANCE NO. 24-640

**AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE CORPORATION (“CITY”), AMENDING THE CITY’S WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN PREVIOUSLY ADOPTED BY THE CITY COUNCIL IN ORDINANCE NO. 19-863 ENACTED ON APRIL 16, 2019, PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council recognizes persistent drought and near-drought conditions can occur in this geographic area and that water supply in area lakes and reservoirs can become severely depleted; and

**WHEREAS**, the City Council recognizes the importance of water conservation and its vital role in preserving the City’s water supply; and

**WHEREAS**, sections 11.1271 and 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require the City to adopt a Water Conservation Plan and a Drought Contingency Plan; and

**WHEREAS**, the City must include specific, quantified five-year and ten-year targets for water savings in its Water Conservation Plan and specific quantified targets in its Drought Contingency Plan for water use reductions during periods of water shortages and drought; and

**WHEREAS**, on April 19, 2005, the City Council adopted Ordinance No. 2005-121 providing for a Water Conservation and Drought Contingency Plan; and

**WHEREAS**, on May 2, 2006, the City Council adopted the ordinance providing for an Amended Water Conservation and Drought Contingency Plan for the City, by enacting Ordinance No. 2006-127, by adding Appendix “G” to said plan, which was the "Lawn and Landscape Irrigation and Water Waste Ordinance"; and

**WHEREAS**, on June 2, 2009, the City Council adopted the ordinance providing for the further Amended Water Conservation and Drought Contingency Plan, by enacting Ordinance No. 2009-134, by including two additional Texas Water Development Board Best Management Practices recommended by the Task Force’s Water Conservation Best Management Practices Guide that relates to park and athletic field conservation; and

**WHEREAS**, on March 6, 2012, the City Council recognized that the amount of water available to the City and its water utility customers is limited, is subject to depletion, and should be used efficiently; and the City Council desired to further amend the Water Conservation and Drought Contingency Plan to include amendments to Sections 6.6 and 6.7 thereof; as evidenced by Ordinance No. 2012-064; and

**WHEREAS**, on April 15, 2014, the City Council adopted an ordinance providing for the further Amended Water Conservation and Drought Contingency Plan, by enacting Ordinance No. 2014-

109, which adjusted the four-stage drought contingency plan to a three-stage plan; and

**WHEREAS**, on April 16, 2019, the City Council adopted the ordinance providing for the readoption of the Water Conservation and Drought Contingency Plan, by enacting Ordinance No. 19-863; and

**WHEREAS**, the City Council wishes to amend the "Water Conservation and Drought Contingency Plan," by including a required twice weekly irrigation schedule to the conservation portion of the Plan; and

**WHEREAS**, the City Council accordingly finds that this ordinance is necessary to protect the health, life, and property of the residents of the City of Denton, Texas, in accordance with sections 54.001 and §54.004 of the Texas Local Government Code; and

**WHEREAS**, the City Council deems it in the public interest to adopt the following amendments to the Water Conservation and the Drought Contingency Plan adopted on April 16, 2019, by adopting the provisions in the "Water Conservation and Drought Contingency Plan" attached hereto as Exhibit "A".

NOW, THEREFORE, THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The recitations contained in the preamble of this ordinance are incorporated herein by reference as findings of the City Council.

SECTION 2. City of Denton Ordinance No. 2005-121, pertaining to the "Water Conservation and Drought Contingency Plan," and codified in Chapter 26 of the Code of Ordinances of the City of Denton, Texas, at sections 26-233 and 26-234, amended, by City of Denton Ordinance No. 2006-127, by adding to it Appendix "G", which is the "Land and Landscape Irrigation and Water Waste Ordinance"; and as further amended by the "Water Conservation and Drought Contingency Plan - April 2009" by City of Denton Ordinance No. 2009-134; and as further amended by the "April 2009 - Water Conservation and Drought Contingency Plan (updated February 2012)" by City of Denton Ordinance No. 2012-064; and as amended by the "April 2014 Water Conservation and Drought Contingency Plan (updated April 2014)" by City of Denton Ordinance No. 2014-109; adopted again April 2019 by Ordinance 19-863; and as now amended to include a required twice weekly irrigation schedule to the conservation portion of the Water Conservation and Drought Contingency Plan, attached hereto as Exhibit "A".

SECTION 3. Any provision of any prior ordinance of the City which conflicts with any provision of this ordinance is hereby repealed to the extent of the conflict, but all other provisions of the ordinance of the city which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase,

clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5. This ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by [\_\_\_\_\_] and seconded by [\_\_\_\_\_].

The ordinance was passed and approved by the following vote [\_\_ - \_\_ - \_\_]:

	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
LAUREN THODEN, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

BY: *Christopher Mullins* Christopher Mullins  
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