

## **ORDINANCE NO. 044-2000**

AN ORDINANCE OF THE CITY OF ORCHARD, TEXAS,  
ADOPTING A DROUGHT CONTINGENCY PLAN; ESTABLISHING  
CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT  
RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN  
WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF  
AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS;  
ESTABLISHING PROCEFURES FOR GRANTING VARIANCES; AND  
PROVIDING SEVERABILITY AND AN EFFECTVE DATE.

**WHEREAS**, THE City Of Orchard, Texas 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;

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

**WHEREAS**. Section 12.1272 of the Texas Water Code and applicable rules of the Texas Natural Resource Conservation commission require all public water supply systems in Texas to prepare a drought contingency plan; and

**WHEREAS**, as authorized under law, and in the best interests of the citizens of Orchard, Texas, the City Council deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ORCHARD, TEXAS:**

### **SECTION 1.**

That the city of Orchard, Texas Drought Contingency Plan attached hereto as Exhibit "A" and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

### **SECTION 2.**

That all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

### **SECTION 3.**

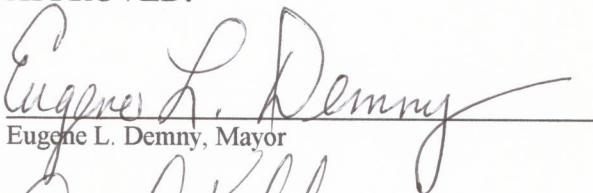
Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

**SECTION 4.**

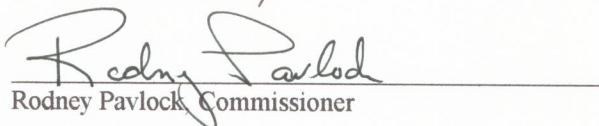
This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY PASSED BY THE CITY OF ORCHARD, TEXAS**, on the 9<sup>th</sup> day of August, 2000.

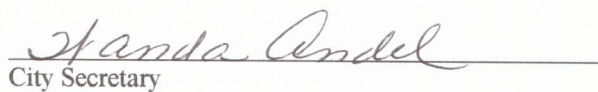
**APPROVED:**

  
Eugene L. Demmy, Mayor

  
David Kolafa, Commissioner

  
Rodney Pavlock, Commissioner

**ATTESTED TO:**

  
City Secretary

SEAL:

