

ORDINANCE NO. 3801

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF MESQUITE BY DELETING SECTION 16-10(a) AND ADDING A NEW SECTION 16-10(a) THEREBY ADOPTING THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN DATED MAY 1, 2006; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Mesquite (the "City") on June 7, 1999, adopted a Water Conservation and Drought Contingency Plan establishing certain restrictions necessary for safety and welfare of the public; and

WHEREAS, it has been determined that the City and its water supplier's (North Texas Municipal Water District) ability to maintain water supply, storage reserves, pressure and adequate fire protection capabilities may require restrictions from time to time and/or prohibition be placed on use of outside water; and

WHEREAS, the City desires to reduce yearly per capita water consumption in order to increase the service capacity of the water system.

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

SECTION 1. That Chapter 16 of the Code of the City of Mesquite, Texas, is hereby amended by deleting Section 16-10(a) in its entirety and adding a new Section 16-10(a) to read as follows, in all other respects said Code and Chapter to remain in full force and effect.

Sec. 16-10. Water conservation and drought contingency plan adopted.

- (a) The Water Conservation and Drought Contingency Plan, dated May 1, 2006, is hereby adopted and incorporated herein by reference.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

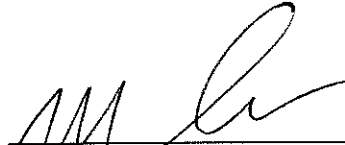
SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining portions of this ordinance shall remain in full force and effect.

SECTION 4. That where the Water Conservation and Drought Contingency Plan implemented pursuant to this ordinance includes mandatory restrictions or prohibitions, any person, firm or corporation violating any of the restrictions or prohibitions of such Water

Conservation and Drought Contingency Plan and thus the provisions or terms of this ordinance, shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.


SECTION 5. That this ordinance shall go into effective immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of May, 2006.




Mike Anderson
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B. J. Smith
City Attorney