

ORDINANCE NO. 4321

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY ADDING A NEW SECTION 16-14(e)(3)(b)(3)(xii); THEREBY PROVIDING AN UPDATE TO THE DROUGHT CONTINGENCY PLAN; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE.

WHEREAS, on June 7, 1999, the City Council of the City of Mesquite (“City Council”) duly passed Ordinance No. 3302, adopting the Water Conservation and Drought Contingency Plan (the “Plan”); and

WHEREAS, on May 1, 2006, the City Council duly passed Ordinance No. 3801, amending the Plan; and

WHEREAS, on June 5, 2006, the City Council duly passed Ordinance No. 3806, amending the Plan; and

WHEREAS, on June 18, 2007, the City Council duly passed Ordinance No. 3871, amending the Plan; and

WHEREAS, on May 19, 2008, the City Council duly passed Ordinance No. 3954, amending the Plan; and

WHEREAS, on April 20, 2009, the City Council duly passed Ordinance No. 4043, amending the Plan; and

WHEREAS, on October 17, 2011, the City Council duly passed Ordinance No. 4179, amending the Plan; and

WHEREAS, on April 21, 2014, the City Council duly passed Ordinance No. 4307, amending the Plan; and

WHEREAS, City Council has determined that it is necessary to amend the Drought Contingency Plan to include additional water use restrictions.

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, as amended, is hereby amended by adding a new Section 16-14(e)(3)(b)(3)(xii) to read as follows, in all other respects said Code, Chapter and Section to remain in full force and effect:

- (xii) Except as otherwise provided, use of water to wash any vehicle, including without limitation a motor vehicle, motorcycle, boat, trailer or aircraft, is prohibited

except for at commercial car washing facilities. Individual residents may wash personal vehicles, aircraft may be washed at airport washracks and commercial vehicles may be washed as necessary in the interest of public health and safety. Vehicle wash fundraisers may only be conducted at commercial car washing facilities using the facility's equipment, provided that the owner's permission is obtained. Excessive runoff is not allowed.

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.

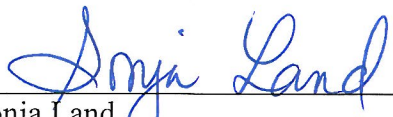
SECTION 4. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of July, 2014.



John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney