

ORDINANCE NO. 2024-08-62

AN ORDINANCE OF THE CITY OF GREY FOREST, TEXAS (CITY) ADDING SECTION 13.06.013 “DROUGHT SURCHARGE” TO ARTICLE 13.06 “DROUGHT CONTINGENCY PLAN” OF THE CITY CODE TO PROVIDE FOR A SURCHARGE FOR CERTAIN WATER USAGE AMOUNTS DURING DROUGHT RESPONSE; DECLARING A PUBLIC PURPOSE; INCORPORATING RECITALS; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

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WHEREAS, the City of Grey Forest (“City”) previously adopted Ordinance 123 on August 22, 2000, establishing a drought contingency plan for the City’s municipally-owned retail water utility; and

WHEREAS, the current drought contingency plan does provide for a surcharge to encourage conservation of water supplies during periods of drought conditions; and

WHEREAS, the City Council has determined that it is reasonable and appropriate to further encourage water conservation during certain drought conditions by amending the City’s drought contingency plan to provide for a surcharge for use of high volumes of water during drought conditions; and

WHEREAS, the City Council has determined that all amendments to the drought contingency plan set forth herein are necessary and appropriate to serve the health, safety and welfare of the public by helping to ensure that adequate water supplies for essential uses remain available to all customers during drought conditions; and

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

SECTION 1. AMENDMENT. Upon adoption of this Ordinance, Article 13.06 – Drought Contingency Plan, Chapter 13 – Utilities of the City’s Code of Ordinances shall be amended to add a new subsection 13.06.13 which shall read as follows:

Chapter 13 – Utilities

...

§13.06.013 Drought Surcharge.

(a) For any month in which Stage 2 or Stage 3 response is in effect, water customers shall be assessed a surcharge of five dollars (\$5.00) for each one thousand (1,000) gallons of water used in excess of fifteen thousand (15,000) gallons of water per billing cycle. Such surcharge shall be assessed monthly and shall appear on the next utility bill issued to the water customer.

SECTION 2. PUBLIC PURPOSE. The City Council finds that all amendments set forth herein are necessary and appropriate to serve the public interest and incorporates all recitals herein.

SECTION 3. REPEALER. All ordinances, resolutions, and municipal orders in conflict herewith are repealed to the extent of such conflict.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon adoption by City Council.

PASSED, ORDERED AND APPROVED THIS 27TH DAY OF AUGUST 2024.

By: 
Paul Garro
Mayor



ATTEST:


Miguel Cantu
City Secretary