

**ORDINANCE NO. 2019-002**

AN ORDINANCE OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT OF COLLIN COUNTY, TEXAS (DISTRICT), A WATER CONSERVATION PLAN FOR THE WYLIE NORTHEAST SPECIAL UTILITY DISTRICT TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALTIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR CUSTOMER NONCOMPLIANCE; .

WHEREAS, the Wylie Northeast Special Utility District (the "District") is a political subdivision of the State of Texas created under the authority of Section 59, Article XVI, Texas Constitution, and operating pursuant to Chapters 49 and 65, Texas Water Code; and

WHEREAS, the District recognizes that the amount of water available to its water customers is limited; and

WHEREAS, the District recognizes that due to natural limitations, drought conditions, system failures and other acts of God which may occur, the District cannot guarantee an uninterrupted water supply for all purposes at all times; and

WHEREAS, the Water Code and regulations of the Texas Commission on Environmental Quality (the "Commission") require that the District adopt a Water Conservation Plan; and

WHEREAS, the District has determined an urgent need in the best interest of the public to adopt a Water Conservation Plan; and

WHEREAS, pursuant to Chapter 65 of the Water Code, the District is authorized to adopt such policies necessary to accomplish the purposes for which it was created, including but not limited to the preservation and conservation of water resources; and

WHEREAS, the Board of Directors of the District desires to adopt the North Texas Municipal Water District (the "NTMWD") Model Water Conservation Plan as official District policy for the conservation of water.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT THAT:

SECTION 1. The Board of Directors hereby approves and adopts the NTMWD Model Water Conservation Plan (the "Plan"), attached hereto as Exhibit "A", as if recited verbatim herein. The District commits to implement the requirements and procedures set forth in the adopted Plan.

SECTION 2. Any customer, defined pursuant to 30 Tex. Admin. Code Chapter 291, failing to comply with the provisions of the Plan shall be subject to a monetary fine as allowed by law,

and/or discontinuance of water service by the District. Proof of a culpable mental state is not required for a conviction of an offense under this section. Each day a customer fails to comply with the Plan is a separate violation. The District's authority to seek injunctive or other civil relief available under the law is not limited by this section.

SECTION 3. The Board of Directors does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The Board of Directors further ratifies, approves and confirms such written notice and the posting thereof.

SECTION 4. The General Manager or his designee is hereby directed to file a copy of the Plan and this Ordinance with the Commission in accordance with Title 30, Chapter 288 of the Texas Administrative Code.

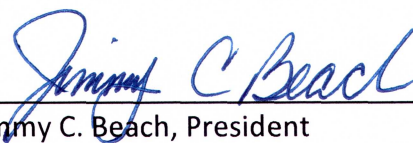
Section 5. Should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected.

Section 6. Ordinance No. 2017-005, adopted on August 14, 2017, is hereby repealed.

SECTION 6. This Ordinance shall become effective from and after its adoption by the Board of Directors.

APPROVED and ADOPTED by the Board of Directors of Wylie Northeast Special Utility District on the 13th day of August, 2019.

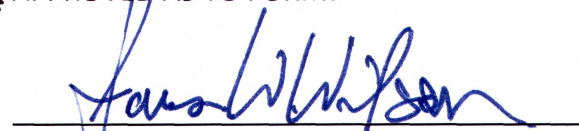


  
Jimmy C. Beach, President

ATTEST:

  
Amanda Horst, Assistant Secretary

APPROVED AS TO FORM:

  
James W. Wilson, Attorney