



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		9/26/11		
Department:		Public Works		
Department Head:		Gerald P. Cosgrove		
Agenda Coordinator (include phone #): Irene Pegues (7198)				
CAPTION				
An Ordinance of the City of Plano, Texas, amending Chapter 21 (Utilities), Article II (Water), Division 4 - Drought Contingency Plan, Section 21-59.6(c)(3) of the City of Plano Code of Ordinances, to revise the Stage 3 water reduction actions; and providing a repealer clause, a severability clause, a savings clause, a penalty clause and an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2010-11	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(s):				
COMMENTS: This item has no financial impact.				
STRATEGIC PLAN GOAL: Ordinance Amendment relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Staff has reviewed the Stage 3 water restrictions. The City of Plano wants to change the allowable landscape watering between November 1 st and March 31 st from once every two weeks to once every week. This will allow the City to be better able to monitor the water usage of our citizens during these periods.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies N/A	

An Ordinance of the City of Plano, Texas, amending Chapter 21 (Utilities), Article II (Water), Division 4 - Drought Contingency Plan, Section 21-59.6(c)(3) of the City of Plano Code of Ordinances, to revise the Stage 3 water reduction actions; and providing a repealer clause, a severability clause, a savings clause, a penalty clause and an effective date.

WHEREAS, the Public Works Department has determined that a revised watering schedule in Stage 3 for the period between November 1st and March 31st will allow the City to be better able to monitor the water usage of its citizens; and

WHEREAS, the City Council hereby finds and determines that the repeal of the previous drought contingency winter watering schedule for Stage 3 water restrictions is in the best interest of the City of Plano and its citizens and should be adopted as set forth below.

NOW THEREFORE, BE IT ORDAINED BY THE CITY CODE OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Ordinance 2009-10-18 duly passed and approved by the City Council of the City of Plano, Texas, on October 26, 2009, is hereby amended by the repeal of the following:

Section 21-59.6(c)(3) Limit landscape watering with sprinklers or irrigation systems between November 1st and March 31st to once every two (2) weeks. An exception is allowed for landscape associated with new construction as noted in subsection (2)(i) above.

Section II. Section 21-59.6(c)(3) of the Drought Contingency Plan is hereby amended by the following:

Section 21-59.6(c)(3) Limit landscape watering with sprinklers or irrigation systems between November 1st and March 31st to once every week. An exception is allowed for landscape associated with new construction as noted in subsection (2)(i) above.

Section III. All other portions of Chapter 21 (Utilities), Article II (Water) of the City of Plano Code of Ordinances shall remain in full force and effect.

Section IV. Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section V. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section VI. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section VII. The repeal of any ordinance or part of any ordinance affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this Ordinance.

Section VIII. This Ordinance shall become effective from and after its passage.

DULY PASSED AND APPROVED this 26th day of September, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

Diane C. Wetherbee, CITY ATTORNEY