

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING CHAPTER 13, UTILITIES, ARTICLE 13.03 “UTILITY SYSTEM SERVICE POLICIES”, OF THE CODE OF ORDINANCES BY AMENDING SECTION 13.03.012 (e) TO RESTRICT IRRIGATION OF LAWNS AND LANDSCAPE MATERIALS TO DESIGNATED DAYS AND TIMES; PROVIDING EXCEPTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is in the best interest of the City of University Park to conserve water; and

WHEREAS, the City has established specific water conservation goals as part of its Water Conservation Plan; and

WHEREAS, excessive lawn and landscape irrigation practices in the City can cause a waste of valuable water resources; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:

SECTION 1. The Code of Ordinances, City of University Park, Texas, is hereby amended by amending Chapter 13 “Utilities”, Article 13.03 “Utility System Service Policies”, Section 13.03.012 (e) in part as follows:

“ARTICLE 13.03 UTILITY SYSTEM SERVICE POLICIES

...

Sec. 3.03.012 Waste of water; water conservation; irrigation restrictions

...

(e) Irrigation restrictions.

- (1) Except as provided herein, a person commits an offense if, during the period from April 1 through October 31 of any year and between the hours of 10:00 o’clock a. m. and 6:00 o’clock p. m. on any day, with water from the City of University Park water system, the person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape material located on premises owned, leased, or managed by the person or under the person’s control.
- (2) A person commits an offense if, at any time during the year, the person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape material located on premises owned, leased, or managed by the person or under the

person's control with a hose-end sprinkler or automatic irrigation system on a day other than a designated outdoor water use day for the property address.

- (3) 'Designated outdoor water use days' means Sundays and Thursdays for a customer with a street address ending in an even number (0, 2, 4, 6, or 8) or with no street address number, and Saturdays and Wednesdays for a customer with a street address ending in an odd number (1, 3, 5, 7, or 9). A multi-family development, office building or other property containing multiple street addresses must use the lowest street address number for the designated outdoor water use days for the property.
- (4) It shall be a defense to prosecution under this Section that the person was:
 - (A) Using a hand-held hose, drip irrigation device or system, soaker hose, or hand-held bucket;
 - (B) Irrigating during the repair or testing of a new or existing automatic irrigation system;
 - (C) Only using water from a source other than the City's water system;
 - (D) Irrigating public rights-of-way, public parks and public property to preserve and protect community amenities, such irrigating to be done for one-half the sites on Tuesdays and Fridays, and one-half the sites on Mondays and Thursdays due to mowing schedule;
 - (E) Irrigating newly planted landscape material within thirty (30) days after the date it was installed, provided the person was watering only the newly planted landscape material. For purposes of this Section, 'newly planted landscape material' does not include the over-seeding of established turf with rye or other seed; or,
 - (F) Irrigating athletic fields used for organized sports practice, competition, or exhibition events as necessary to protect the health and safety of the players, staff or officials present for athletic events."

SECTION 2. All ordinances of the City of University Park in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Code of Ordinances as a whole, or any part or provision thereof, other than the part so decided to be invalid, illegal or unconstitutional.

SECTION 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of University Park, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

SECTION 5. This ordinance shall take effect immediately from and after its passage, as the law and Charter in such cases provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS, ON THE 17TH DAY OF JUNE 2014.

APPROVED:

OLIN B. LANE, MAYOR

ATTEST:

CHRISTINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

City Attorney
(rld, 6/09/14, 66558)

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