

**College Mound Special Utility District Order
Adopting Water Conservation Plan**

Ordinance No. 2014-02

AN ORDER ADOPTING A WATER CONSERVATION PLAN FOR THE COLLEGE MOUND SPECIAL UTILITY DISTRICT TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALTIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION PLAN.

WHEREAS, the College Mound Special Utility District (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 the 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 College Mound Special Utility District (the "CMSUD") Model Water Conservation Plan as official District policy for the conservation of water.

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE COLLEGE MOUND SPECIAL UTILITY DISTRICT THAT:

Section 1. The Board of Directors hereby approves and adopts the College Mound Special Utility District Water Conservation Plan (the "Plan"), attached hereto as Addendum 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.

a. **First Violation** - The customer will be notified by a written notice of their specific violation.

b. **Second Violation** - The customer will be fined \$275.00 per day payable within 30 days. The District may install a flow-restricting device in the customer's service line to limit the amount of water that will pass through the meter in a 24 hour period. The cost of this shall be the actual cost to do the work and shall be paid by the customer.

c. **Subsequent Violations** - The customer will be fined \$500.00 per day payable within 30 days. The District may terminate service for up to 7 days and charge for the service call to restore service.

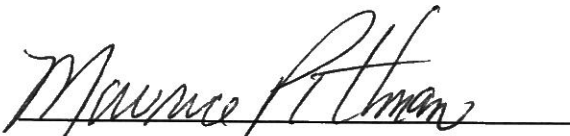
The District's authority to seek injunctive or other civil relief available under the law is not limited by this section.

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 Order 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 Order 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 Order be declared unconstitutional or invalid for any reason, the remainder of this Order shall not be affected.

Approved and adopted by the Board of Directors on this 22 day of April 2014.



Maurice Pittman - President, Board of Directors

Attest:



Chuck Currie – Secretary/Treasurer