

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING CHAPTER 130, ARTICLE IV, DIVISION 3, DIVISION 5, DIVISION 6, AND DIVISION 7, OF THE CODE OF ORDINANCES OF THE CITY OF NEW BRAUNFELS ADJUSTING RESIDENTIAL AND LANDSCAPE IRRIGATION DROUGHT SURCHARGES; REVISING DROUGHT STAGE DESIGNATIONS AND TRIGGERS; CLARIFYING DEFINITIONS AND OTHER PROVISIONS; RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of New Braunfels, Texas (the “City”), owns and operates by and through New Braunfels Utilities its own water system in accordance with the laws of the State of Texas and the charter of said City; and

WHEREAS, the Council of the City of New Braunfels has heretofore established ordinances containing the rules, regulations, and policies for water conservation, drought management, and residential and landscape irrigation drought surcharges for the service area of New Braunfels Utilities and such ordinances have been codified in Chapter 130, Article IV, Code of Ordinances of the City; and

WHEREAS, by Resolution R-2026-205, adopted February 26, 2026, the New Braunfels Utilities Board of Trustees recommends amendments to Division 3, Division 5, Division 6, and Division 7 of Chapter 130, Article IV, Code of Ordinances, to, among other things, (i) adjust the residential and landscape irrigation and drought surcharges, (ii) revise drought stage designations and triggers, (iii) clarify definitions and other provisions as specified in Exhibit A; and

WHEREAS, in order to adopt the amendments recommended by the New Braunfels Utilities Board of Trustees, it is now necessary and advisable that Division 3, Division 5, Division 6, and Division 7 of Chapter 130, Article IV, Code of Ordinances, as heretofore established by ordinance, be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1: Amendment.

That City of New Braunfels Code of Ordinances, Chapter 130, Article IV, Division 3, Division 5, Division 6, and Division 7 are hereby amended as set forth in Exhibit A, attached hereto and incorporated herein for all purposes, with underlined font indicating added language and strikethrough font indicating deleted language.

SECTION 2: Repealer.

All provisions of the New Braunfels Code of Ordinances, or other ordinances, whether codified or uncoded, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the Code of Ordinances or other ordinances, codified or uncoded, not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 3: Severability

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence or section of this ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality

or invalidity shall not affect any other remaining phrase, clause, sentence paragraph or section of this ordinance.

SECTION 4: Savings Clause.

The repeal of any ordinance or part of ordinances effectuated 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 at the time of passage of this ordinance.

SECTION 5: Effective Date.

This ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this _____ day of _____, 2026.

PASSED AND APPROVED: Second reading this _____ day of _____, 2026.

CITY OF NEW BRAUNFELS

MICHAEL FRENCH, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

_____, City Attorney
(Name)

Exhibit A