

**Ordinance amending City Code of Ordinances, Chapter 12, Section 12-10, establishing a 200-foot restricted zone as required by Texas Commission on Environmental Quality through Texas Administrative Code Title 30 Chapter 290, Section 290.41(e) (2) (C) at the City's raw water intake on the Nueces River; and providing penalties**

**Whereas**, the Texas Commission on Environmental Quality through the Texas Administrative Code, Title 30, Part 1, Chapter 290, Subchapter D, Rule 290.41(e) (2)(C) requires establishment of a restricted zone of 200 feet radius from the raw water intake works and all recreational activities and trespassing shall be prohibited in this area;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS, that:**

**SECTION 1.** Section 12-10 of the Corpus Christi Code of Ordinances, is amended to read as follows:

**Sec. 12-10.** - Restrictions pertaining to area surrounding Nueces River raw water intake.

As required by the Texas Administrative Code, Title 30, Environmental Quality, Part 1, Texas Commission on Environmental Quality, Chapter 290, Public Drinking Water, Subchapter D, Rules and Regulations for Public Water Systems, Rule 290.41 (e ) (2) (C), there is hereby established a restricted zone within the two hundred (200) feet radius from the raw water intake works of the City on the Nueces River and recreational activities and trespassing in this restricted area are prohibited. **SECTION 2.** This ordinance takes effect after official publication. A violation of this ordinance is declared to be a nuisance in accordance with Texas Local Government Code Section 217.042. Penalties for violation of Section 12-10 shall be in accordance with Section 1-6 of the City Code of Ordinances.

**SECTION 3.** If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision hereof be given full force and effect for its purpose.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote:

Joe McComb \_\_\_\_\_

Michael Hunter\_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Rudy Garza \_\_\_\_\_

Everett Roy \_\_\_\_\_

Paulette M. Guajardo \_\_\_\_\_

Greg Smith \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2020, by the following vote:

Joe McComb \_\_\_\_\_

Michael Hunter \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Rudy Garza \_\_\_\_\_

Everett Roy \_\_\_\_\_

Paulette M. Guajardo \_\_\_\_\_

Greg Smith \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
Mayor