

TITLE V: PUBLIC WORKS

Chapter

50. WATER

51. ON-SITE SEWAGE FACILITIES AND SEWAGE DISPOSAL

CHAPTER 50: WATER

Section

50.01 Water wells

50.02 Water rates

§ 50.01 WATER WELLS.

- (A) Water wells may be drilled on residential and commercial property within the city; provided the area of the property meets all state, county, and city requirements under the Tex. Health and Safety Code, Ch. 366 (THSC) and §§ 51.01 through 51.08, §§ 51.20 through 51.28 of this code of ordinances. The property owner must use a licensed water well driller. Prior to drilling, the contractor must acquire a permit and pay a set fee from City Hall. Prior to receiving a permit, the contractor must present a copy for the city files of the state licenses. He or she must show proof of insurance, contact information, and a plot plan showing the location of the well and showing the distances from property lines, rights-of-way, on-site septic facility, other utilities, and lake (if lakefront property). The permit will be issued only if all requirements on lot size and floodplain requirements are met. The city requires that all water wells dug on lakefront property be at least 75 feet from the edge of the lake. (Refer to latest copy of TCEQ site evaluation tables.)
- (B) All electrical and plumbing connections to the residents or commercial buildings will require additional permits at set fees by the city. It will be the property owner's responsibility to have the water from the well tested before a connection permit will be issued for the safety and health of the resident. The city will not be liable for any water well quality and service, this is solely the responsibility of the property owner.

(Ord. 2011-27(f), passed 11-12-2015)

§ 50.02 WATER RATES.

Established by current water provider.

(Ord. 2013-8, passed 12- -2013)

CHAPTER 51: ON-SITE SEWAGE FACILITIES AND SEWAGE DISPOSAL

Section

On-Site Sewage Facilities

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ON-SITE SEWAGE FACILITIES

§ 51.01 JURISDICTION.

The rules shall apply to all the area lying within the incorporated limits of the city.
(Ord. 2011-27(f), passed 11-12-2015)

§ 51.02 REGULATION AND ENFORCEMENT.

- (A) The city clearly understands that there are technical criteria, legal requirements, and administrative procedures and duties associated with regulating on-site sewage facilities and will fully enforce Tex. Health and Safety Code, Ch. 366, Tex. Water Code, Ch. 7 and 37 (TWC), and associated rules referenced in § 51.03.
- (B) The city clearly understands that, at a minimum, it must follow the requirements in Tex. Administrative Code, Title 30 § 285.71 - Authorized Agent Enforcements of OSSFs.

- (C) This chapter adopts and incorporates all applicable provisions related to on-site sewage facilities which includes, but is not limited to, those found in Tex. Health and Safety Code, Ch. 341 and 366, Tex. Water Code, Ch. 7, 26, and 37, and Tex. Administrative Code, Title 30 Ch. 30, Subchapters A and G, and Ch. 285.

(Ord. 2011-27(f), passed 11-12-2015)

§ 51.03 RULES.

- (A) The rules, Tex. Administrative Code, Title 30 Ch. 30, Subchapters A and G, and Tex. Administrative Code, Ch. 285, promulgated by the TCEQ for on-site sewage facilities are hereby adopted, and all officials and employees of the city having duties under said rules are authorized to perform such duties as are required of them under said rules.
- (B) Any permit issued for an on-site sewage facility within the jurisdictional area of the city must comply with the rules as stated.

(Ord. 2011-27(f), passed 11-12-2015)

§ 51.04 INCORPORATION BY REFERENCE.

The rules, Tex. Administrative Code, Title 30 Ch. 30, Subchapters A and G, and Ch. 285 and all future amendments and revisions thereto, are incorporated by reference and are thus made a part of these rules.
(Ord. 2011-27(f), passed 11-12-2015)

§ 51.05 DUTIES AND POWERS.

The OSSF designated representative (DR) (Tex. Administrative Code, Title 30 § 285.2(17)) of the city must be certified by the TCEQ before assuming the duties and responsibilities.
(Ord. 2011-27(f), passed 11-12-2015)

§ 51.06 COLLECTION OF FEES.

All fees collected for permits and/or inspections shall be made payable to the city. A fee will also be collected for each on-site sewage facility permit, to be paid to the On-Site Wastewater Treatment Research Council as required by the Tex. Health and Safety Code, Ch. 367.
(Ord. 2011-27(f), passed 11-12-2015)

§ 51.07 APPEALS.

A person aggrieved by an action or decision of the designated representative may appeal such action or decision to the City Council.
(Ord. 2011-27(f), passed 11-12-2015)

§ 51.08 RELINQUISHMENT OF REGULATION.

- (A) If the City Council decides that it no longer wishes to regulate on-site sewage facilities in its area of jurisdiction, the City Council, as the authorized agent, and the TCEQ shall follow the procedures outlined in the Tex. Administrative Code, Title 30 § 285.10(d)(1) through (4).
- (B) After relinquishing its OSSF authority, the authorized agent understands that it may be subject to charge-back fees in accordance with Tex. Administrative Code, Title 30 §§ 285.10(d)(5) and 235.14 after the date that delegation has been relinquished.

(Ord. 2011-27(f), passed 11-12-2015)

SEWAGE DISPOSAL REQUIREMENTS

§ 51.20 OUTSIDE TOILET/PRIVY.

No outside toilet or privy shall be erected or maintained on any lot hereunder, nor shall any sewage be disposed of upon, in, or under any lot hereunder, except into a septic system installed and operated pursuant to the TCEQ standards for private sewage facilities and local standards.

(Ord. 2011-27(f), passed 11-12-2015) Penalty, see § 10.99

§ 51.21 PLUMBING.

All plumbing, lateral lines, and holding tanks shall be installed for the requirements of the state's Health Department and the city's authorized agent for TCEQ (if applicable).

(Ord. 2011-27(f), passed 11-12-2015)

§ 51.22 SEPTIC SYSTEM REQUIRED.

Such septic system will be required for any permanent or semi-permanent facility installed on any lot hereunder and shall be installed before the residence is occupied. All new wastewater handling installations must have a site plan for the wastewater system on file with the city office.

(Ord. 2011-27(f), passed 11-12-2015)

§ 51.23 HOLDING TANKS.

A holding tank that meets the requirements of the TCEQ and has a contract for pumping it out may be used if a copy of the pumping contract is on file at the city office. The pumping contractor must notify the city immediately if the contract is no longer valid and in force.

(Ord. 2011-27(f), passed 11-12-2015)

§ 51.24 ORGANIZED SEWAGE DISPOSAL SYSTEM.

- (A) At such time as an organized sewage disposal system, for the collection, treatment, and disposal of sewage, becomes available, sewage disposal will be by means of said system only and no permanent or semi-permanent facility shall be erected, placed, or maintained on any lot hereunder.
- (B) Within 90 days of being notified of the availability of an organized sewage disposal system, all existing permanent or semi-permanent facilities, except nonresidential, must be connected to said system.

(Ord. 2011-27(f), passed 11-12-2015)

§ 51.25 SELF-CONTAINED SYSTEM.

Self-contained sanitation systems may be used by temporary campers, provided each meets the state's environmental and pollution regulations and is constructed to be gas- and odor-tight. All self-contained sanitation systems (permanently installed in a mobile camper or motor home with holding tanks, or self-contained portable units) must be evacuated when needed and maintained in a sanitary condition without odor. Any sewer system used in the city must meet all TCEQ regulations.

(Ord. 2011-27(f), passed 11-12-2015)

§ 51.26 EVACUATION OF SEWAGE.

The dumping, emptying, or evacuation of sewage or wastewater onto the ground or into any lake, ditch, or drainage facility within the city is strictly prohibited. In addition, such action is a violation of the Tex. Water Code, Ch. 26 and the Texas Water Quality Board Order No. 77-0714-1 and is subject to civil and criminal penalties. The city will vigorously assist in prosecution of any person or persons engaged in such action.

(Ord. 2011-27(f), passed 11-12-2015) Penalty, see § 10.99

§ 51.27 WATER OR WASTEWATER FROM NON-CITY UTILITY.

Any property or building that receives retail water or wastewater service from an entity other than the city must conform to all city ordinances.

(Ord. 2011-27(f), passed 11-12-2015)

§ 51.28 NEW CONSTRUCTION/MANUFACTURED AND MODULAR HOMES CONNECTION TO SYSTEM.

The following shall apply to new construction, move-in of manufactured/modular homes, or use by unit which will remain long term on property re-zoned for camping in District III.

Ivanhoe, TX Code of Ordinances

- (A) Prior to use or connection to an existing system located on the property, such system shall meet TCEQ regulations.
 - (B) Tank size must be verified with documentation. If information is not available, the tank must be pumped (dry) and inspection will be made by TCEQ representative at the time of pumping standard system. Verification of correct operation shall also be made of aerobic or any other type of on-site septic facility (OSSF).
- (Ord. 2011-27(f), passed 11-12-2015)