



City of Rowlett

Official Copy

Ordinance: 2005-285

City of Rowlett
4000 Main Street
P.O. Box 99
Rowlett, TX 75030
www.ci.rowlett.tx.us

File Number: 2005-285

Enactment Number: ORD-22-05

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 78, ARTICLE V., PLUMBING CODE, SEC. 78-202, AMENDMENTS AND DELETIONS, BY AMENDING THE INTERNATIONAL PLUMBING CODE, 2000 EDITION, BY ADDING SECTION 301, PARAGRAPH 301.3 TO PROVIDE FOR SANITARY SEWER SYSTEMS WITHIN THREE HUNDRED FEET (300') OF ANY PROPERTY LINE AND PROVIDING FOR THE CONNECTION OF ON-SITE SEWAGE DISPOSAL SYSTEMS TO THE CITY'S SANITARY SEWER SYSTEM; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE WHICH IS A VIOLATION OF ANY PROVISION OF LAW THAT GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, INCLUDING DUMPING OF REFUSE, THE PENALTY SHALL BE A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1. That the Code of Ordinances of the City of Rowlett, Texas be and the same is hereby amended by amending Chapter 78, Article V., Plumbing Code, Sec. 78-202. Amendments and deletions, by amending the International Plumbing Code, 2000 Edition, by adding Section 301, paragraph 301.3 to provide for sanitary sewer systems within three hundred feet (300') of any property line and providing for the connection of on-site sewage disposal systems to the city's sanitary sewer system, with amendments to read as follows:

"Sec. 78-202. Amendments and deletions.

.....
Section 102.8

301.3 Connections to the sanitary drainage system

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Where the City sanitary sewer system exists within 300 feet (91 meters) of any property line where there is, or a permit has been applied for, a structure containing fixtures used to receive or discharge liquid wastes or sewage, such fixtures shall be connected to the City sanitary sewer system.

Existing structures that utilize on-site sewage disposal systems (septic systems) shall connect the structure sanitary drainage system to the City sanitary sewer system upon provision of that City system to within 300 feet (91 meters) of the property line. On-site systems shall be decommissioned in accordance with State

and County requirements upon connection to the City's system. Connection to the City sewer system shall occur within ten years (one hundred and twenty months) of completion and acceptance of the City's system extension. Exceptions to the ten year connection delay include:

1. Connection shall occur simultaneously upon decommission of any on-site system.
2. Connection shall occur as a condition of a requested City building construction permit issuance for work on the premises.
3. Connection may occur later than ten years but shall connect within fifteen (15) years after completion and acceptance of the City Sewer System extension when the property is served by an on-site sewage disposal system that was no older than three (5) years at the time of completion and acceptance of the City Sewer System extension.

Section 305.6.1

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Section 2. If any section, subsection, paragraph, sentence, phrase or work in this ordinance, or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Rowlett, Texas hereby declares it would have enacted such remaining portions despite any such invalidity.

Section 3. That all provisions of the Code of Ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. That any person, firm or corporation violating any of the provisions of this ordinance or the Code of Ordinances as amended hereby, shall be guilty of a misdemeanor and upon conviction in the Municipal Court of the City of Rowlett, Texas, shall be subject to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, except where a different penalty has been established by State law for such offense, the penalty shall be that fixed by State law, and for any offense which is a violation of any provision of law that governs fire safety, zoning or public health and sanitation, including dumping of refuse, the penalty shall be fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such offense is continued shall constitute a new and separate offense.

Section 5. That this ordinance shall become effective immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

I, Susie Quinn, City Secretary certify that this is a true copy of Ordinance No. 2005-285, passed by the City Council on 5/3/2005.

Ayes: 7 Mayor Johnson, Mayor Pro Tem Sebastian, Deputy Mayor Pro Tem Mahnken, Councilmember Alberts, Councilmember Bryan, Councilmember Maggiotto and Councilmember Rushing

Approved by *C. Shane Johnson* Date 5/3/05
Mayor

Approved to Form by *Robert [unclear]* Date 5/3/05
City Attorney

Certified by *Jessie Quinn* Date 5/3/05
City Secretary

