

# CITY OF WILLOW PARK

ORDINANCE NO. 592-09

**AN ORDINANCE AMENDING CHAPTER 11, §11.302 "ON-SITE SEWAGE FACILITY RULES ADOPTED," SUBPARAGRAPH (b) OF THE CODE OF ORDINANCES, CITY OF WILLOW PARK, TEXAS; AND, PROVIDING FOR AN EFFECTIVE DATE AND REPEALER.**

WHEREAS, the City of Willow Park, is a municipal corporation duly and legally formed in the State of Texas; and

WHEREAS, the City is a general law municipality with specific powers delegated to it to protect the health, safety and general welfare of its citizens; and,

WHEREAS, the City of Willow Park wishes to provide for the health, safety and welfare of its citizens; and

WHEREAS, the City desires to create, provide and maintain waterwork facilities that are safe, adequate, efficient and reasonable for the provision of said service(s); and

WHEREAS, the City will ascertain and fix just and reasonable standards, classifications, regulations, service rules, service standards and practices to be observed in the furnishing of water; and

NOW THEREFORE:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:**

## SECTION 1. AUTHORIZATION

The Mayor, or appropriate City Official or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

## SECTION 2. AMENDMENT

Chapter 11, §11.302 On-Site Sewage Facility Rules Adopted, Subparagraph (b) is amended as follows:

(b) The City Administrator of the City of Willow Park, Texas, or the designee thereof is herewith declared the designated representative for the enforcement of these rules within its jurisdictional area. The appointed individual must be approved and certified by the Texas ~~Natural Resource Conservation~~ Environmental Quality Commission ~~on~~ before assuming the duties and responsibilities of the Designated Representative of the City of Willow Park, Texas. The designated representative shall have the following duties and concomitant powers:

1. To resolve any question regarding any interpretation of these Rules, or the Design Criteria.
2. To enforce these Rules and to make appropriate recommendations to proper city officials when instances of noncompliance with these Rules have been determined.
3. To make statutorily mandated inspections of proposed, new and existing on-site sewage facilities.
4. To collect fees set by the authorized agent as necessary to recover the reasonable costs incurred in meeting the requirements of these Rules.
5. To make semi-annual reports to the authorized agent on all actions, including legal actions, taken concerning these Rules.
6. To investigate nuisance complaints within 21 days of receipt. All validated complaints shall be resolved or substantial progress made toward resolution by the responsible individual within 30 days.
7. To assure that the owner of an on-site sewage system either enters into a maintenance contract for the system and keeps the contract in force or personally maintains the single family residential system pursuant to state standards and regulations.
- 7- 8. To perform all other duties necessary to meet the requirements of these Rules.

## SECTION 3. REPEAL OF CONFLICTING ORDINANCES

All Ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

## SECTION 4. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect from and after its publication one time in the official publication of the City of Willow Park, Texas which publication shall contain the captions stating in substance the purpose of the ordinance and reciting the penalty provision of the ordinance.

PASSED AND APPROVED this 20<sup>th</sup> day of April, 2009.

/s/ Marvin Glasgow  
Mayor

ATTEST:

/s/ Joel Hoffman  
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ [Signature]  
City Attorney

The Willow Park City Council in acting on Ordinance No. 592-09 did on the 20<sup>th</sup> day of April, 2009, vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Marvin Glasgow, Mayor	<u>✓</u>	_____
Barry K. Tatum, Place 1	<u>✓</u>	_____
J. Teresa Welch, Place 2	_____	_____
Barry Brown, Place 3	<u>✓</u>	_____
Kenneth Hawkins, Place 4	<u>✓</u>	_____
Hale Alderman, Place 5	<u>✓</u>	_____