

**NOTICE OF MEETING**  
**Building Appeals & Advisory Board**  
**Monday, April 15, 2019**  
**Administrative Conference Room- 4<sup>th</sup> Floor**  
**285 UPTOWN BLVD., BUILDING 100**  
**7:00 p.m.**

*MISSION STATEMENT: The mission of the City of Cedar Hill is to deliver the highest quality municipal services to our citizens and customers consistent with our community values.*

*VISION STATEMENT: We envision Cedar Hill as a premier city that retains its distinctive character, where families and businesses flourish in a safe and clean environment.*

- I. Call meeting to order
- II. Approve the meeting minutes for March 18, 2019.
- III. Review and consider the request for approval to the Cedar Hill Code of Ordinance Section 4-244, 2(a); All multi-tenant signs must be approved by the Sign Board; Located at JOSEPH COOMBS ABST 292 PG 290 TR 5 ACS 2.00, more commonly known as 1121 N. Joe Wilson Rd.
- IV. Review and consider the request by Tayde Carranza and Norma Garcia for a variance to the City of Cedar Hill Code of Ordinance Division 7 On-Site Sewer Disposal; Section 18-73(1) On site sewerage for new structures shall only be allowed on lots which are a minimum of one (1) acre at JAMES HUGHES ABST 539 PG 400; TR 24 ACS 1.00; more commonly known as 1776 W. Belt Line Rd.
- V. Review the proposed amendments to the 2018 International Plumbing Code for adoption to the City Code of Ordinance.
- VI. Adjourn

I certify that the above notice of meeting was posted in accordance with the Texas Open Meetings Act on the 11<sup>th</sup> day of April 2019.

Mayor, Rob Franke • Mayor Pro Tem, Stephen Mason • Jami McCain • Daniel C. Haydin, Jr.  
Wallace Swayze • Chad A. McCurdy • Clifford R. Shaw • City Manager, Greg Porter



**Jeanette Cosme**

Permit Tech/Executive Assistant

This facility is wheelchair accessible. Handicapped parking is also available. To arrange for sign interpretative services or special accommodations, please call 972-291-5100 Ext. 1081 or (TDD) 1-800-RELAY TX (1-800-735-2989), at least 48 hours in advance of the meeting.

**"PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY"**

**"CONFORME A LA SECCIÓN 30.07, DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA VISIBLE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA VISIBLE"**

**PREMIER STATEMENTS**

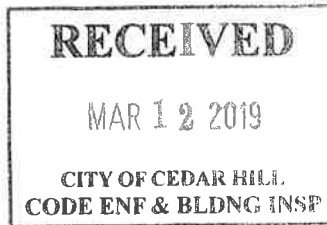
*Cedar Hill is Safe*

*Cedar Hill is Clean*

*Cedar Hill has Vibrant Parks and Natural Beauty Cedar Hill has Excellent, Safe and Efficient Mobility*

*Cedar Hill has a Strong and Diverse Economy Cedar Hill has Texas Schools of Choice*





Building Permit Number SIGN 5103-2019

Electrical Permit Number \_\_\_\_\_

Code Enforcement Department

285 Uptown Blvd., Cedar Hill, TX 75104

O. 972.291.5100 X1090

F. 972.291.7250

## APPLICATION FOR SIGN PERMIT

Date 3-12-19

Address for the sign 1121 N. Joe Wilson Rd.

Business Name for the sign Medical Center

Location of the sign on the property Front I.D. Monument Sign

Size of the sign 10'-10" x 11'-3" (110.4 sq ft)

Value of the sign \$ 5,000.00

Sign Company Name Future Signs, Inc.

Sign Company Address 11624 Chairman DR. DALLAS, TX 75243

Signature of the Applicant Jamark. Martin

Email for the Applicant (required) sales@myfuture-signs.com

Name of Electrical Contractor Future Signs, Inc.

### Required attachments

Sketch property with adjacent streets and indicate location of sign.

1. Sketch a front view of sign with exact dimensions indicated, including elevation from surface of ground, support and illumination.

10'-10"



11'-3"



972-205-9090

SALES@MYFUTURESIGNS.COM

CUSTOMER  
COMPANY  
LOCATION  
CITY, STATE

Dr Bailey's  
Heritage Inter Med PLLC  
1121 N Joe Wilson Rd  
Cedar Hill, TX 75104

TOTAL SQUARE FEET  
110.36

MATERIAL AND INSTALLATION COMPLIES WITH  
NATIONAL ELECTRICAL SIGN CODE AND USES  
ONLY U/L LISTED COMPONENTS  
U/L LABELS REQUIRED

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CUSTOMER  
LANDLORD

DATE  
DATE

10'-10"



11'-3"



SALES@MYFUTURESIGNS.COM

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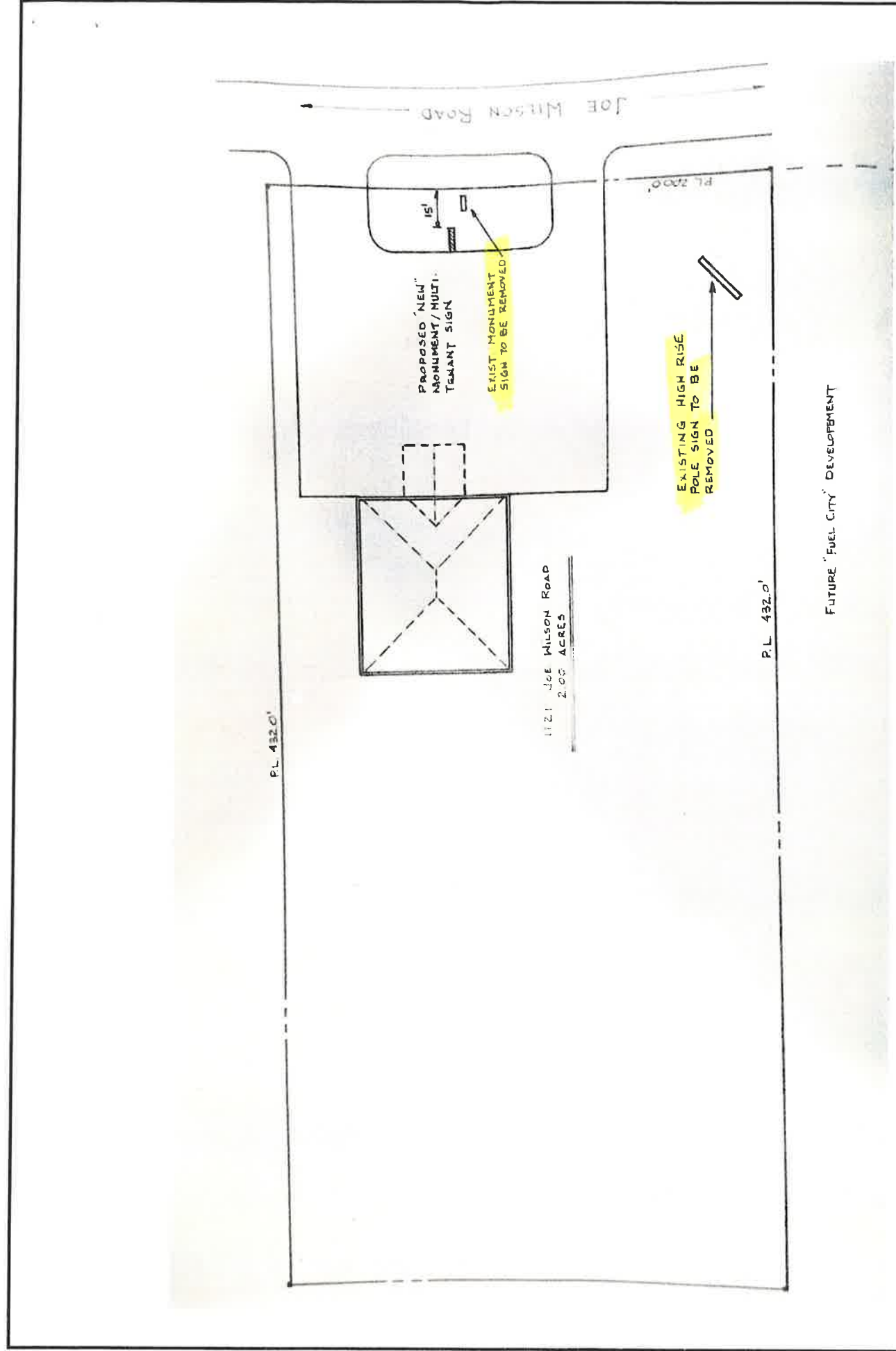
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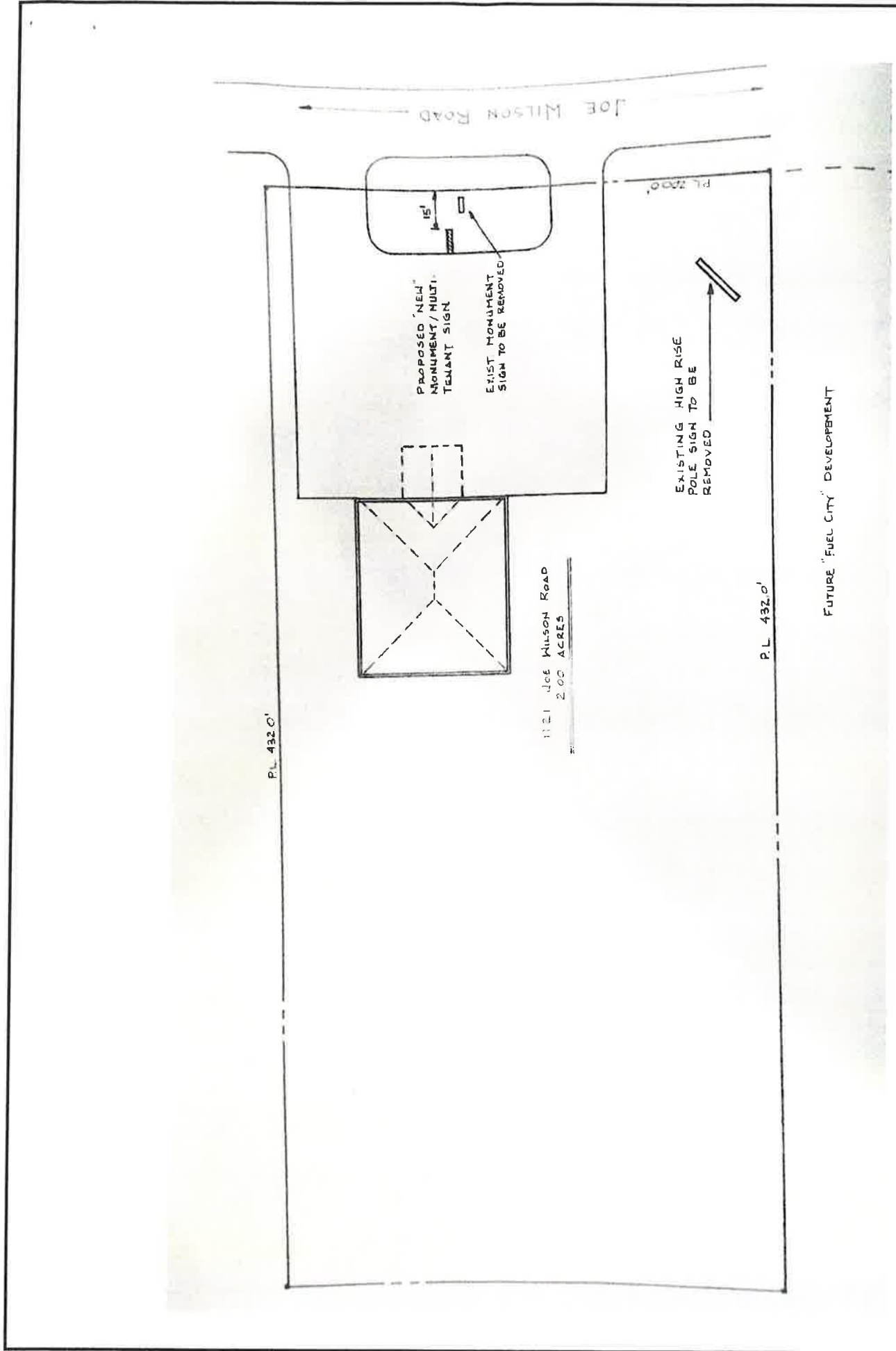
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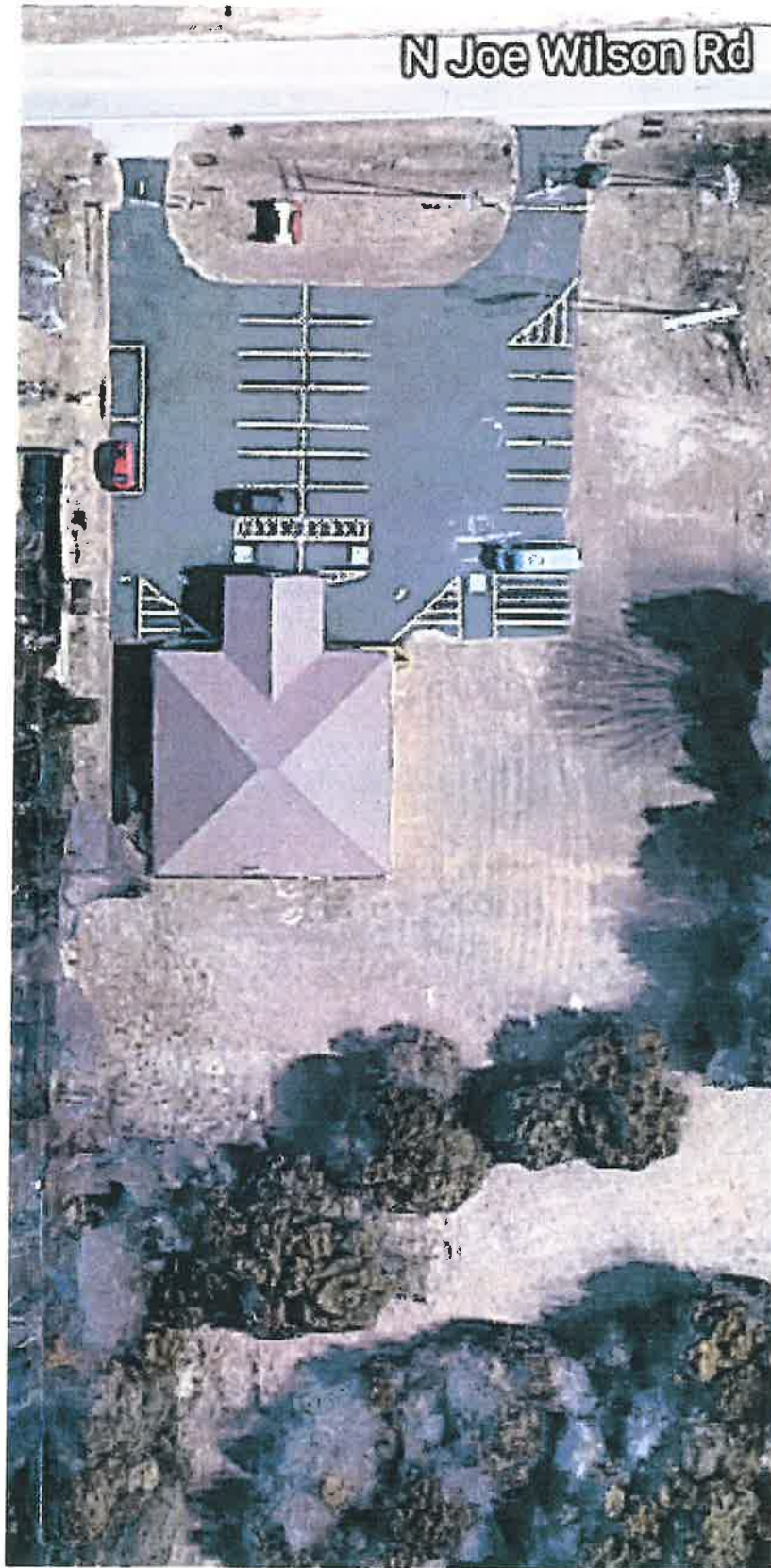
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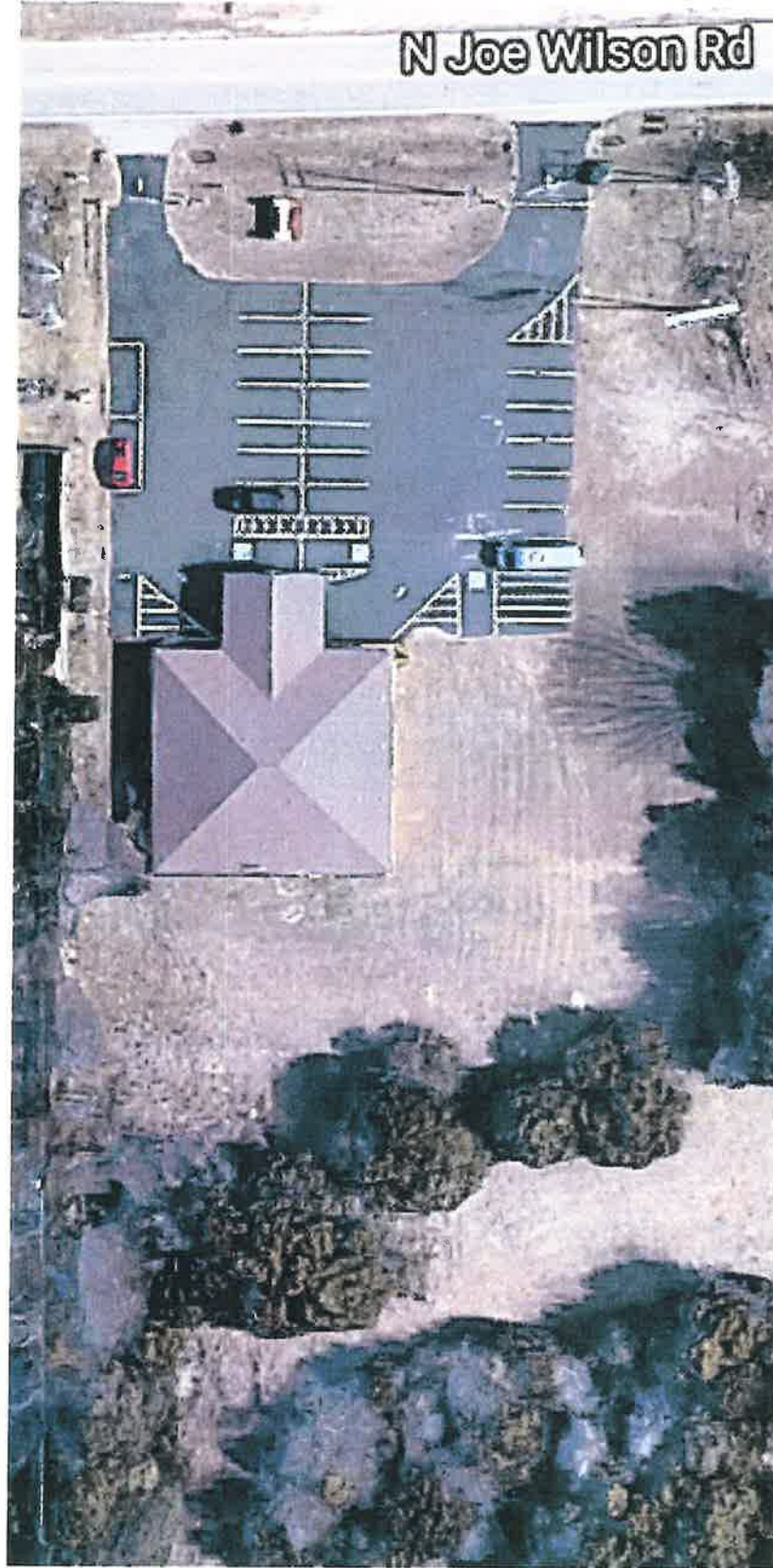
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a structural part of a building, whether or not such fence, railing or wall is on the property line.

- (11) Subject to the Subsection 14 herein, no sign shall be allowed which moves by any means.
- (12) The use of exposed tubes which contain luminescent inert gases, including, but not limited to, neon, argon and krypton, and which are visible from the exterior of structures, is specifically prohibited except as an attached sign which shall conform to this chapter.
- (13) It shall be unlawful for any person to display upon any sign any obscene, indecent or immoral matter.
- (14) Vehicular signs are prohibited except for the following:
  - a. Vehicles of the town.
  - b. Vehicles owned and operated by another governmental entity.
  - c. The primary purpose of the vehicle on which the vehicular sign is located is not for display of the sign.
  - d. The signs are painted upon or applied directly to an integral part of the vehicle.
  - e. The vehicle on which the vehicle sign is located is not used primarily as static displays advertising a product or service.
- (15) Projecting Signs.
- (16) Decorative Flags and pennants
- (17) Billboards shall not be permitted.
- (18) Prohibition of New Off-premise Signs. From and after the effective date, no new construction permit shall be issued for the erection of an off-premise sign, including but not limited to a new off-premise CEVMS or the conversion of an existing non-CEVMS off-premise sign to a CEVMS, within the Sign Code Application Area.

#### **Sec. 4-244. Standards.**

All signs regulated by this division and erected from and after March 12, 1991, shall meet the standards imposed herein. Signs which were in existence and in place on such date and which meet the standards imposed by the Chapter shall be classified as "conforming signs." Signs which were in existence and in place on such date and do not meet the standards imposed by this Chapter shall be classified as "nonconforming signs." The maximum sign area prescribed herein shall be applied to a sign with one (1) face. A sign constructed with more than one (1) face shall contain in the aggregate of all faces not more than twice the maximum area prescribed. The maximum interior angle between sign faces shall be ninety (90) degrees. Sign standards shall be as follows:

(1) *Design requirements:*

- a. *Size:* The area of signs shall be measured by the smallest square, rectangle, circle or combination thereof which will encompass the entire sign. The maximum size limitations shall apply to each side of the sign individually, but exclude the base or structural support members. See definition of sign area calculation.
- b. *Lighting:* Signs may be illuminated, subject to the following restrictions: Lights which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the roadway and which cause glare or effectively impair or otherwise interfere with any driver's operation of a motor vehicle are prohibited.
- c. *Height:* The height of a sign shall be measured as follows:
  1. Ground or pole sign within one hundred (100) feet of a street abutting the property on which the sign is located: From the top of the curb to the nearest street adjacent thereto or, if there is not curb, from a point six (6) inches above the edge of the road surface to the top of the sign structure.
- d. *Construction:* All signs constructed according to this division will be allowed no more than two (2) sides:
  1. All signs greater than ten (10) feet in height must have construction drawings with an engineer's seal of a licensed, professional engineer, and such drawing shall be submitted to the city with the application for a permit. All component parts and materials, as well as the completed structure, shall have tolerances and strength of at least thirty (30) pounds per square foot.
  2. An electrical sign or signs which require electric power must have the Underwriters Laboratories (UL) label.

(2) *Location and spacing.*

- a. Permanent detached signs shall be in compliance with the following table: See Attachment A, incorporated herein as if fully set forth.
- b. Attached signs shall be installed in compliance with the following schedules:
  1. An attached sign located at a height up to thirty-six (36) feet or less, the sign area is limited to two (2) square feet of sign

ATTACHMENT "A"  
Permanent Sign  
Detached Sign Table

(D) Zoning District	Land Use	Land Condition	Time Limit	Sign Structure Type	(A) Max Area (sq. ft.)	(A) Max Height (feet)	(A) Min. Setback (feet)	Max # of signs Permitted
All zoning districts	Vacant land		None	None	0	0		None
All zoning districts	Lot occupied by a single family dwelling		None		1			1 per parcel
All non-single family and non-multifamily zoning districts (E)	Lot occupied by a non-residential building	Frontage along Hwy. 67	None		240	40	0	(F)
		Frontage along street other than Hwy. 67 and within 200 ft. of Hwy. 67	None		240	40	8	(F)
		Frontage along street other than Hwy. 67 and >201 ft but < 500 from Hwy. 67	None		180	30	8	(F)
		Frontage along street other than Hwy. 67 and more than 500 ft from Hwy. 67	None		64 (B)	20	8(B)	
All multifamily zoning districts	Lot occupied by apartment or a non-residential structure		None		40	20	10	1 per street frontage (C)

All single family zoning districts	Occupied by a non-residential structure	Lot is one acre or more	None		64	20	8	1 per parcel
	Lot occupied by a ranch/farm	Lot is one acre or more	None		32			1 per parcel

(A) = If the lot is within the Uptown Overlay Zoning District and is NOT located between Clark Road and Belt Line Road then: Maximum height = 8, Maximum area = 64 feet and minimum setback is 8 feet. The maximum area may be increased to 100 sq. ft. if the minimum setback is increased to 15 feet.

(B) = Maximum sign area may be increased to 100 square feet if the minimum sign setback from property line is increased to 15 feet.

(C) = After the initial 750 feet of street frontage, an additional detached shall be allowed for each additional 600 feet of frontage or portion thereof.

(D) = Single family districts includes SF-7, SF-8.5, SF-10, SF-15, SF-22, SF-E, SF-RR, & PD districts for residential uses; Multifamily districts = MF and PD-MF zoning districts & nonresidential districts = NS, LR, C, CC, IP and I zoning districts.

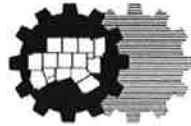
(E) = Multi-tenant signs must be approved by sign board.

(F) 1 sign per each 450 feet of lot road frontage with a minimum sign spacing of 225 feet.

(G) Electric supply to sign must be under ground.







North Central Texas  
Council of Governments

## Recommended Amendments to the 2018 International Plumbing Code North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the 2018 *International Plumbing Code* are hereby amended as follows: Standard type is text from the IPC. Underlined type is text inserted. ~~Lined through type is deleted text from the IPC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk identifies a new or revised amendment with the 2018 edition of the code.

**Note:** Historically NCTCOG has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**

**\*\*Table of Contents, Chapter 7, Section 714; change to read as follows:**

714     Engineered Computerized Drainage Design . . . . . 69

(Reason: Editorial change to make compatible with amendment to Section 714.1.)

**\*\*\*Section 102.8; change to read as follows:**

**102.8 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

**\*\*Sections 106.6.2 and 106.6.3; change to read as follows:**

**106.6.2 Fee schedule.** The fees for all plumbing work shall be as ~~indicated in the following schedule:~~ (JURISDICTION TO INSERT APPROPRIATE SCHEDULE) adopted by resolution of the governing body of the jurisdiction.

**106.6.3 Fee Refunds.** The code official shall establish a policy for authorize-authorizing the refunding of fees ~~as follows.~~ {Delete balance of section}

(Reason: This calls to attention of local jurisdictions considering adoption that they need a fee schedule and a refund policy.)

**\*\*Section 109; delete entire section and insert the following:**

**SECTION 109**  
**MEANS OF APPEAL**

**109.1 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

*(Reason: Most jurisdictions already have an ordinance establishing and governing an appeals board for this code. This also calls to the attention of jurisdictions not having such a board that it needs to be established.)*

**\*\*\*Section 305; change to read as follows:**

**305.1 Protection against contact.** Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material plastic. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

*(Reason: Allows for other materials to be accepted.)*

**305.4.1 Sewer depth.** ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection.~~ Building sewers shall be a minimum of 12 inches (304 mm) below grade.

*(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)*

**\*\*Section 305.7; change to read as follows:**

**305.7 Protection of components of plumbing system.** Components of a plumbing system installed within 3 feet along alleyways, driveways, parking garages or other locations in a manner in which they could be exposed to damage shall be recessed into the wall or otherwise protected in an approved manner.

*(Reason: Provide a common cutoff point to designate a general separation distance at which plumbing systems should be safe for consistency in enforcement.)*

**\*\*\*Section 306; change to read as follows:**

**\*\*\*306.2.4 Plastic sewer and DWV piping installation.** Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the diameter of the piping multiplied by 1.25 plus 12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

*(Reason: To follow manufacturer backfill requirements and to be clear to Inspectors out in the field)*

**\*\*Section 314.2.1; change to read as follows:**

**314.2.1 Condensate disposal.** Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an *approved* place of disposal. ... {text unchanged} ... Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

*(Reason: Greater specificity in prohibited locations for condensate discharge. It is the intent of this amendment to send condensate discharge into a sanitary sewer drain. Consistent with regional amendment to IMC 307.2.1.)*

**\*\*Section 409.2; change to read as follows:**

**409.2 Water connection.** The water supply to a commercial dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608. (Remainder of section unchanged).

*(Reason: Domestic dishwashing machines would be difficult to enforce and should already come equipped with backflow preventers. Consistent with regional amendments in IPC Section 608.)*

**\*\*Section 413.4; change to read as follows:**

**413.4 Required location for floor drains** ~~Public laundries and central washing facilities.~~ Floor drains shall be installed in the following areas:

1. In public laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.
2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the Code Official may accept floor sinks.
3. Public restrooms.

*(Reason: To make more compatible with local health code practices.)*

**\*\*\*Section 502.3; change to read as follows:**

**502.3 Water heaters installed in attics.** Attics containing a water heater shall be provided . . . {bulk of paragraph unchanged} . . . side of the water heater. The clear access opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull-down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the Code Official due to building conditions.

**Exceptions:**

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... {remainder of text unchanged}

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IMC and IFGC)

**\*\*Section 502.6; add Section 502.6 to read as follows:**

**502.6 Water heaters above ground or floor.** When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

**Exception:** A max 10-gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

(Reason: To provide safe access to water heaters. (Consistent with regional amendments to IFGC 306.7 and IMC 306.3. Note reference to amendment above.)

**\*\*\*Section 504.6; change to read as follows:**

**504.6 Requirements for discharge piping.** The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap. ~~located in the same room as the water heater.~~
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

**Exception:** Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufacture's installation instructions and installed with those instructions.

5. Discharge to ~~the floor, to the pan serving the water heater or storage tank, to a waste receptor~~ an approved location or to the outdoors.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Terminate not more than 6 inches above and not less than two times the discharge pipe diameter above the floor or flood level rim of the waste receptor.

11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and *approved* for such use in accordance with ASME A112.4.1.
14. Be one nominal size larger than the size of the relief valve outlet, where the relief valve discharge piping is installed with insert fittings. The outlet end of such tubing shall be fastened in place

(Reason: To provide a higher degree of safety.)

**\*\*Section 504.7.1; change to read as follows:**

**Section 504.7.1 Pan size and drain to read as follows:** The pan shall be not less than 1 1/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 3/4 inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table 605.4. Multiple pan drains may terminate to a single discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.

**\*\*Section 608.1; change to read as follows:**

**608.1 General.** A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from non-potable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to applicable local regulations, Table 608.1, except and as specifically stated in Sections 608.2 through 608.16.10.

(Reason: To recognize local requirements.)

**\*\*Section 608.17.5; change to read as follows:**

**608.17.5 Connections to lawn irrigation systems.**

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Reason: To recognize regional practices.)

**\*\*Section 608.18; change to read as follows:**

**608.18 Protection of individual water supplies.** An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with applicable local regulations. Installation shall be in accordance with Sections 608.17.1 through 608.17.8.

(Reason: To allow local requirements to govern.)

**Section 703.6; Delete**



(Reason: not a standard practice in this region)

**\*\*Section 704.5; added to read as follows:**

**704.5 Single stack fittings.** Single stack fittings with internal baffle, PVC schedule 40 or cast iron single stack shall be designed by a registered engineer and comply to a national recognized standard.

(Reason: to allow owners, installers, inspectors, and design professionals to readily identify product markers to determine they meet all required standards.)

**\*\*Section 712.5; add Section 712.5 to read as follows:**

**712.5 Dual Pump System.** All sumps shall be automatically discharged and, when in any "public use" occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

(Reason: To address dual pump system. To provide reference for storm drainage systems.)

**\*\*Section 713, 713.1; change to read as follows:**

## **SECTION 713**

### **ENGINEERED COMPUTERIZED DRAINAGE DESIGN**

**713.1 Design of drainage system.** The sizing, design and layout of the drainage system shall be ~~permitted to be designed by a~~ registered engineer using approved computer design methods.

(Reason: Code was too restrictive.)

**\*\*Section 803.3; added to read as follows:**

**803.3 Special waste pipe, fittings, and components.** Pipes, fittings, and components receiving or intended to receive the discharge of any fixture into which acid or corrosive chemicals are placed shall be constructed of CPVC, high silicone iron, PP, PVDF, chemical resistant glass, or glazed ceramic materials.

(Reason: To clarify the allowable materials which are specifically listed for chemical drainage applications.)

**\*\*Section 903.1; change to read as follows:**

**903.1 Roof extension.** Open vent pipes that extend through a roof shall terminate not less than six (6) inches (152 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

(Reason: To provide regional guideline on standard installation method for this area and address reference number correction.)

**\*\*\*Section 918.8; change to read as follows.**

918.8 **Where permitted.** Individual, branch and circuit vents shall be permitted to terminate with a connection to an individual or branch-type air admittance valve in accordance with Section 918.3.1. Stack vents and vent stacks shall be permitted to terminate to stack-type air admittance valves in accordance with Section 918.3.2. Air admittance valves shall only be installed with the prior approval of the building official.

*(Reason: Mechanical Device that is subject to fail and not installed per manufacturer)*

**\*\*Section 1003; see note below:**

*{Until the Health and Water Departments of the area can coordinate a uniform grease interceptor section, each city will have to modify this section individually.}*

**\*\*Section 1106.1; change to read as follows:**

**1106.1 General.** The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour the 100-year hourly rainfall rate indicated in Figure 1106.1 or on other rainfall rates determined from approved local weather data.

*(Reason: Specify the roof drain size normally used in the area.)*

**\*\*Section 1108.3; change to read as follows:**

**1108.3 Sizing of secondary drains.** Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106 ~~based on the rainfall rate for which the primary system is sized in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~ Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

*(Reason: Specify that overflow drainage is to be the same size as the normal roof drains.)*

**\*\*Section 1109; delete this section.**

**\*\*\*Section 1202.1; delete Exceptions 1 and 2.**

*(Reason: State law already specifies that Med Gas systems must comply with NFPA 99.)*

**END**



CEDAR HILL

BUILDING APPEALS & ADVISORY BOARD  
APPLICATION FORM

Existing Zoning: SFE

Filing Date: 4-3-19

Don Merchant

Owner Tayde Carranza &  
Norma Garcia

Applicant DC Texas Construction, LLC

Address 1501 Rocky Creek Cir  
Cedar Hill TX 75104

Address 115 Parks Place Blvd #500, Waxahatche  
TX 75165

Phone Number 214-930-2595

Phone Number 972-351-4558

Email normagarcia15w@gmail.com

Email don@dc-texas-homes.com

Address of Property Requesting Variance 1776 W Belt Line Rd.

Lot 24 Block 1.0 A Subdivision James Hughes ABST 539

Tract 24 Acres 1.0 A Abstract James Hughes ABST 539 Survey page 400

Building Description: New Construction Size 3607 SF Occupancy Type Residence

Occupancy Load 4 Type of Construction Residential

Use SF Residence

Explain Variance Desired: Dallas CAD lists property at 1.0 A. but  
Re-plat survey lists property at 0.954 A. Requesting  
variance for septic system. See Septic plan.

Code: City Code of Ordinance Section: 18-73 (1)

Requirements: On-site sewerage for new structures shall only be  
allowed on lots which are a minimum of one (1) acre.

I am the owner of the herein described property and DC Texas Construction LLC  
(Applicant)  
authorized to file this application on my behalf.

Don Merchant  
Applicant

Don Merchant  
Owner

Variance Fee: \$150.00

Attach Justification Material



**ON-SITE SEWAGE FACILITY PROGRAM  
TECHNICAL INFORMATION FOR PERMIT**

**DO NOT BEGIN CONSTRUCTION PRIOR TO APPLICATION APPROVAL.  
UNAUTHORIZED CONSTRUCTION SHALL RESULT IN ENFORCEMENT INCLUDING BUT NOT LIMITED TO  
CIVIL OR ADMINISTRATIVE CITATIONS AND COURT PROCEEDINGS.**

Property Owner Name (First Middle Last)

TAIDE CARRANZA + NORMA GARCIA

Site Address

1776 Bell Lane RD CEDAR HILL TX 75104

Site County

☒ Dallas County

☐ Ellis County

Professional Design Required

☐ NO

☒ YES

If YES, professional design attached

☐ NO

☒ YES

Sewer Pipe Material Type

Sch 40

Sewer Size of Pipe

3"

Slope of Sewer Pipe to Tank

2 1/8" per foot

Daily Wastewater Usage Rate (Gallons Per Day)

360

Water Savings Devices

☐ NO

☒ YES

☒ Septic Tank

Septic Tank Dimensions

6.3 x 12.02

Septic Tank Liquid Depth (tank bottom to outlet)

53"

Septic Tank Size Required

720 GPD

Septic Tank Size Proposed

750 GPD

☐ Aerobic System

Aerobic System Manufacturer

HEPS

Aerobic System Model Number

D750

Aerobic System Size Required

720 GPD

Aerobic System Size Proposed

750 GPD

☐ Other Type (PLEASE ATTACH DESCRIPTION)

Disposal System Type

SURFACE SPRAY

Disposal System Area Required

5675

Disposal System Area Proposed

5652

Additional Information (NOTE - This information must be attached for review to be completed)

☒ Site Evaluation

☒ Planning Materials

The attached checklist details those items that must be addressed under each of these categories.

Designer Name (PRINT)

TRAVON DOLWORTH

Date

4-3-19

Designer Signature

Trevon R. Dulworth R.S.  
Registered Professional Sanitarian  
Texas Registration # 4551  
Certified Site Evaluator OS0030579

5021 SE McKinney  
Rice, Tx. 75155

Phone: (972) 670-1085  
[trdulworth@gmail.com](mailto:trdulworth@gmail.com)

Aerobic On-Site Surface Irrigation System

Date: 4-3-19

Name: Tayde Carranza and Norma Garcia

Email:

Property Location:  
1776 Belt Line Rd  
Cedar Hill, TX 75104

Mail to Address:  
1501 Rocky Creek Cir  
Cedar Hill, TX 75104

County: Dallas

Design Parameters

Number of Bedrooms:	5	Living Area Square Footage: 3607	Equivalent Bedrooms:	6
Number of Occupants:	4	Lot Size: 0.954	Public or Private water supply:	public
Design Capacity G.P.D.	360 (Water Saving Fixtures)		No water well on property	
Maximum Loading Rate:	0.064 gal/sq. ft./ day		Required Disposal Area:	5625 Sq. Ft.
Designed Disposal Area	5652 Sq. Ft. Net			
Actual Loading Rate:	0.064			

System Parameters

Pretreatment Tank:	400 Aeration Tank:	Aeris D-600 (600 gpd) Class I Aerobic Unit
Chlorinator Type:	PVC "T" Stackable - Free Flowing or Liquid Chlorination	NSF or GCT Approved Chlorinator
Pump Tank Capacity:	500 gallons	Water Pump: 1/2 H.P. Submersible (ON-TIMER)
Radius of Sprinklers:	2, 30' @ 360 degrees	Number of sprinklers: 2 heads Brand: K-Rain
Vegetation Present:	Native Grasses	No trees within 10' of heads
		Approx. slope in spray area: No Slope

Notes: \_\_\_\_\_

Soil Evaluation

Soil Classification: IV Ground Water Observed: No If yes, at what depth: N/A

Notes:





Trevon R. Dulworth R.S.  
Registered Professional Sanitarian  
Texas Registration # 4551  
Certified Site Evaluator 050030579

5021 SE McKinney  
Rice, Tx. 75155

Phone: (972) 670-1085  
[trdulworth@gmail.com](mailto:trdulworth@gmail.com)

Septic Design Drawing

Date: 4-3-19

Name: Tayde Carranza and Norma Garcia

Email:

Property Location:  
1776 Belt Line Rd  
Cedar Hill, TX 75104

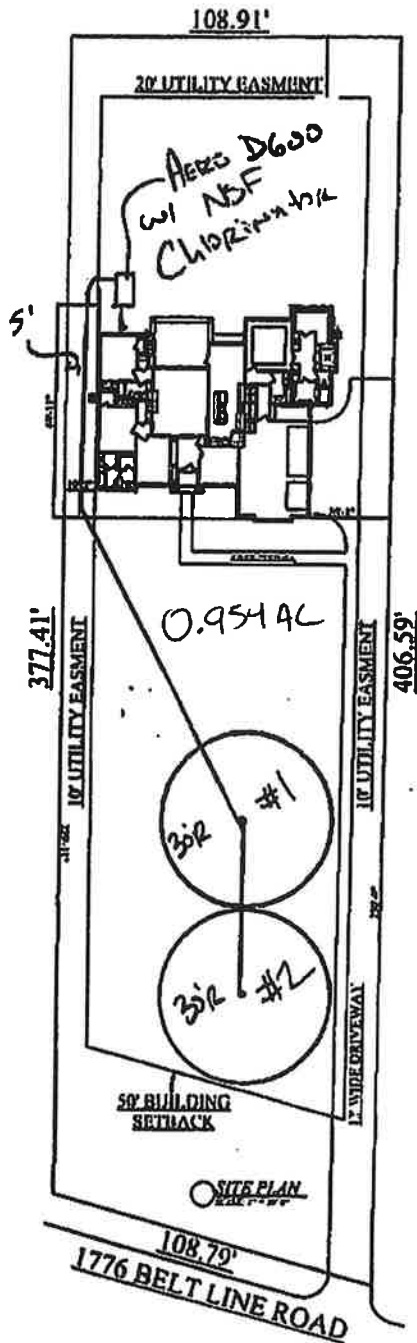
Mail to Address:  
1501 Rocky Creek Cir  
Cedar Hill, TX 75104

County: Dallas

\*Pump is On Timer

\*No Trees In Spray Area

\*Scale: 60'



5021 SE McKinney  
Rice, Tx. 75155

Trevon R. Dulworth R.S.  
Registered Professional Sanitarian  
Texas Registration # 4551  
Certified Site Evaluator OS0030579

Phone: (972) 670-1085  
[trdulworth@gmail.com](mailto:trdulworth@gmail.com)

### Soil Evaluation Report

Date: 4-3-19

Name: Tayde Carranza and Norma Garcia

Email:

Property Location:  
1776 Belt Line Rd  
Cedar Hill, TX 75104

Mail to Address:  
1501 Rocky Creek Cir  
Cedar Hill, TX 75104

County: Dallas

Water Supply: Public

Soil Borings:	Hole # 1	Hole # 2
Depth 0-4 ft.	0-32"	0-32"
Soil Classification	IV	IV
Textural Class	Clay/Shale	Clay/Shale
Presence of Mottling	No	No
Restrictive Horizon	Yes	Yes
Groundwater	No	No
"FEMA" Flood Hazard	No	No
Upper Water Shed	No	No
Presence of ponds, streams or wells	No	No
Topography	No Slope	No Slope

Vegetation present in disposal area: Native Grasses (No trees in spray area)

Soil currently supports and will support future vegetative growth

Site suitable for a standard subsurface conventional system: NO

Additional information and/or comments:

\*\*Test holes locations are indicated on site design drawing



I certify that the findings of this report are based on my field observations and are accurate to the best of my ability.

Trevon R. Dulworth R.S. # 4551 / S.E. # OS0030579

Date: 4-3-19

**23** Dulworth Septic Services  
5021 SE McKinney  
Rice, Tx 75155

(972) 617-4100  
**Monitoring Agreement**

Model Installed: Aero DG600 Serial number: \_\_\_\_\_

Start Date: \_\_\_\_\_ Installation Date: \_\_\_\_\_

Service policy is for 2 year from start date.

The service policy shall provide the following:

1. An inspection service call every 3 months, which includes inspection, adjustment, and servicing of the mechanical and electrical component parts as necessary to ensure proper function.
2. An effluent quality inspection every 3 months consisting of a visual check for colors turbidity, scum overflow, and an examination for odors.
3. Homeowner is responsible for keeping aerobic chlorine in chlorinator. If chlorine test reveals no chlorine, a grab test is required. Homeowner will be responsible for cost.
4. If any improper operation is observed which cannot be corrected at that time, the homeowner shall be notified immediately in writing of the conditions and the estimated date of correction.

Violations of warranty: Include shutting off the electric current to the system for more than 24 hours. Disconnecting the alarm system, restricting ventilation to the aerator, overloading the system above its rated capacity, or introducing excessive amounts of harmful matter into the system, flooding by external means, insect or ant damage, or any other form of unusual abuse.

This policy does not include pumping sludge from unit if necessary.  
Spray heads are covered for 30 days from manufacture defects only.

Homeowner:

Name: Tyler Garza + Norma Garza Home Phone: \_\_\_\_\_

Address: 1776 Bell Line Rd Work Phone: \_\_\_\_\_

City: Cedar Hill State: TX Zip Code: 75104

Licensed Installer II: OS0808172 & OS002470 Maintenance Provider: MP0000819

Name: [Signature] License #: 24074

Matthew Dulworth or Tommy Dulworth Licensed II Installer's are authorized to do inspections on all brands of aerobic systems



## **DIVISION 7. - ON-SITE SEWAGE DISPOSAL<sup>(5)</sup>**

### **Footnotes:**

**--- (5) ---**

Editor's note— Ord. No. 2017-622, § 1, adopted August 29, 2017, repealed div. 7, §§ 18-67—18-81 and enacted a new div. 7 as set out herein. Former div. 7 pertained to similar subject matter and derived from Ord. No. 95-213, adopted June 27, 1995 and Ord. No. 99-410, adopted June 12, 1999.

**Sec. 18-67. - Reserved.**

**Sec. 18-68. - Adopting Texas Health and Safety Code chapters 366, and Texas Administrative Code title 30 chapter 285.**

The City of Cedar Hill, Texas, hereby adopts Chapter 366 of the Texas Health and Safety Code (H&SC), and Chapter 285 of Title 30 of Texas Administrative Code (TAC) associated rules referenced in section 18-71 of this article in and for the regulation of on-site sewage facilities ("OSSF").

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-69. - Area of jurisdiction.**

The rules adopted by the ordinance shall apply to all of the incorporated area of the City of Cedar Hill, Texas.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-70. - On-site sewage facility.**

Any structure discharging sewage into an OSSF within the jurisdictional area of the city must comply with the rules adopted in section 18-71 of this Code of Ordinances.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-71. - On-site sewage facility rules adopted.**

The rules ("Design Criteria for On-Site Sewer Facilities" and Administrative Rules 30 TAC 285.1 through 285.91), promulgated by the Texas Commission on Environmental Quality (TCEQ) for on-site sewage systems are hereby adopted.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-72. - Incorporation by reference.**

The design criteria and all future amendments and revisions thereto are incorporated by reference and are thus made a part of these rules. A copy of the current design criteria is available for review at the Cedar Hill Public Works Department.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-73. - Amendments.**

A more stringent conflicting local rule regulating an OSSF shall take precedence over a corresponding TCEQ requirement. Listed below are the more stringent rules adopted by the city:

- (1) On-site sewerage for new structures shall only be allowed on lots which are a minimum of one (1) acre.
- (2) All OSSFs shall be permitted and inspected regardless of lot size or acreage tract.
- (3) OSSFs may be utilized only for disposal of normal domestic wastewater. No industrial waste may be discharged to any OSSF. Industrial waste shall be defined as waste resulting from any process of industry, manufacturing, trade or business from the development of any natural resource, or any mixture of the waste with water or normal wastewater, or distinct from normal domestic wastewater.
- (4) No person may cause or allow the installation of a new OSSF when part of the lot or tract on which the OSSF is proposed is to be within two hundred (200) feet in horizontal distance of an existing sanitary sewer system, unless one (1) of the following requirements has been met:
  - a. The person has received a written denial of service from the owner or governing body of the sanitary sewer system; or
  - b. The person has received a written determination from the designated representative that it is not feasible for the person to connect to the sanitary sewer system.
- (5) Whenever a sanitary sewer disposal system is developed within two hundred (200) feet in horizontal distance from any lot or tract on which an OSSF is used, all buildings serviced by an OSSF shall be connected to the sanitary sewer system within six (6) months. Such connection shall be conducted in accordance with the established procedures for new sanitary sewer connections, including, but not limited to, the payment of any applicable fees. Existing on-site facilities may be exempt from connecting to the sanitary sewer system if:
  - a. One (1) of the requirements set forth in subsections (4)(a) or (4)(b) of this section has been met.
  - b. The owner of the existing on-site facility has received a written waiver from the designated representative after showing the existing OSSFs are being properly maintained and comply with all codes and ordinances.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-74. - Duties and powers.**

The public works department of the city is herewith declared the designated representative and permitting authority for the enforcement of these rules. Any individual serving as the designated representative must be approved and certified by the TCEQ before assuming the duties and responsibilities of the designated representative. 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 OSSFs.
- (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 semiannual reports to the authorized agent on all actions, including legal actions, taken concerning these rules.
- (6) To investigate nuisance complaints within twenty-one (21) days of receipt. All validated complaints shall be resolved or substantial progress made toward resolution by the responsible individual within thirty (30) days.
- (7) To perform all other duties necessary to meet the requirements of these rules.

(Ord. No. 2017-622, § 2, 8-29-17)

Sec. 18-75. - Permits and fees.

No person shall operate an OSSF without a valid permit issued by the city. All fees collected for permits and/or inspections shall be made payable to the city. Permit fees are nonrefundable.

- (1) A permit application for installation or modification of an on-site system is one hundred dollars (\$100.00).
- (2) The TCEQ on-site wastewater treatment system fee as required by Texas Health and Safety Code Chapter 367 is ten dollars (\$10.00).

(Ord. No. 2017-622, § 2, 8-29-17)

Sec. 18-76. - Inspection prior to final covering.

Each new OSSF shall be inspected and approved by the designated representative prior to the final covering of the facility.

- (1) The applicant or registered installer shall notify the designated representative that an inspection is desired at least five (5) working days prior to the need for inspection.
- (2) The applicant or registered installer shall provide whatever reasonable assistance the designated representative requests in order to make the inspection.
- (3) The applicant or registered installer must be present at the time of the inspection for that facility.

(Ord. No. 2017-622, § 2, 8-29-17)

Sec. 18-77. - Appeals.

Person aggrieved by an action or decision of the designated representative may file a written appeal [of] such action or decision to the building appeals and advisory board of the city within ten (10) working days of such action or decision.

(Ord. No. 2017-622, § 2, 8-29-17)

Sec. 18-78. - Right of entry: inspection and sampling.

The city, TCEQ, or their designated representative shall have the right to enter onto any property with an OSSF to determine whether the system is complying with all requirements of this article. Property owners/tenants shall allow inspecting or sampling personnel access to all parts of the premises necessary for the purposes of inspection, sampling, records examination and copying, and the performance of any additional, related duties. The designated representative shall inspect any on-site

system that is believed to be causing pollution, nuisance conditions, is a threat to the public health, or is illegally installed or altered.

- (1) If, upon inspection, it is found that any of these conditions exist, the designated representative shall take appropriate enforcement action, notify the owner of the OSSF of the violation and what steps must be taken to achieve compliance, and establish a compliance deadline. The OSSF shall be re-inspected at the expiration of the compliance deadline.
  - a. If the facility is found to be compliant, a permit therefore may be issued.
  - b. If the facility is found to be noncompliant, appropriate enforcement shall be taken.
- (2) The regulatory authority shall have the right to set up on the property such devices as are necessary to conduct sampling of the operations.
- (3) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the property owner/tenant at the written or verbal request of the regulatory authority and shall not be replaced. The costs of clearing such access shall be borne by the property owner/tenant.
- (4) Unreasonable delays in allowing the inspection or sampling personnel access to the property owner's/tenant's premises shall be violation of this article.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-78.1. - Search warrants.**

If the permitting authority has been refused access to a property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the city designed to verify compliance with this article or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the permitting authority may seek issuance of a search warrant from the appropriate court.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-78.2. - Maintenance contract requirements.**

The permit holder of all OSSFs shall ensure that the OSSF is properly operated and maintained in accordance to 30 TAC 285.

- (1) The maintenance provider, in order to perform maintenance on an OSSF shall be licensed by the TCEQ as a maintenance provider or registered by the TCEQ as a maintenance technician and employed by a licensed maintenance provider. The maintenance provider shall be responsible for fulfilling the requirements of the maintenance contract and for the work performed by registered maintenance technicians under their direct supervision.
- (2) The initial two-year service policy shall be effective for two (2) years from the date of the OSSF is first used. For an existing single family dwelling this date is the date of notice of approval is issued by the permitting authority. The owner or owner's agent shall provide the permitting authority with a copy of a signed initial two-year service policy before the system is approved for use.
- (3) OSSF contracts shall, at a minimum:
  - a. Specify a time frame in which the maintenance provider or maintenance technician will visit the property in response to a complaint by the property owner regarding the operation of the system;

- b. Specify the name of the maintenance provider who is responsible for fulfilling the terms of the maintenance contract;
  - c. Identify the frequency of routine maintenance and the frequency of the required testing and reporting;
  - d. Identify who is responsible for maintaining the disinfection unit; and
  - e. Indicate the business physical address and telephone number for maintenance provider.
- (4) Unless the owner maintains the system, a copy of the signed maintenance contract shall be provided by the owner to the permitting authority thirty (30) days before the expiration of the initial two-year service policy. For the time period after the initial two-year service policy, the owner is required to have a new maintenance contract signed and submitted to the permitting authority at least thirty (30) days before the contract expires.
- (5) All OSSFs must be tested and reported in accordance to 30 TAC 285.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-78.3. - Exceptions to maintenance contract.**

At the end of the initial two-year service policy, the owner of an OSSF for a single-family residence shall either maintain the system personally or obtain a new maintenance contract.

- (1) If the residence is sold before the end of the initial two-year service policy period, the terms of the initial service policy will apply to the new owner.
- (2) An owner may not maintain an OSSF under the provisions of this section for commercial, speculative residential or multifamily property.
- (3) The owner of an OSSF for a single-family residence that elects to maintain the system personally following the initial two-year service policy is exempt from testing and reporting requirements.
- (4) The number of required tests may be reduced to two (2) per year for all systems having electronic monitoring and automatic telephone or radio access that will notify the maintenance provider of system or component failure and will monitor the amount of disinfection in the system. The maintenance provider shall be responsible for ensuring that the electronic monitoring and automatic telephone or radio access systems are working properly.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-79. - Violations; penalties; other remedies.**

- (1) A person who violates any provision of this article is guilty of a misdemeanor and, upon conviction, is punishable by a fine in an amount not to exceed two thousand dollars (\$2,000.00) for each violation, and for each day of violation exists or continues.
- (2) In addition to proceeding under the authority of subsections (1) and (2) of this section, the city is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statutes or ordinances against a person committing violations.

(Ord. No. 2017-622, § 2, 8-29-17)

**Sec. 18-80. - Emergency repair.**

An emergency repair to an OSSF without a permit is not an offense under these rules if the following procedures are carried out:

- (1) The repair is made for the purpose of abatement of an immediate, dangerous and serious health hazard;
- (2) That said repair does meet minimum state design criteria;
- (3) That said repair does not constitute an alternation of the on-site system;
- (4) That written notification of such repair, including a detailed description of the method and materials used in said repair, is made to the authorized agent within seventy-two (72) hours of the date of the repair; and
- (5) That said repair must be inspected for compliance with the state's or authorized agent's design criteria whichever is more stringent.

(Ord. No. 2017-622, § 2, 8-29-17)

Sec. 18-81. - Relinquishment of ordinance.

If the city council decides that it no longer wishes to regulate OSSFs in its area of jurisdiction, the city council shall follow the procedures outlined below:

- (1) The city council shall inform the TCEQ by certified mail at least thirty (30) days before the published date of the public hearing notice that it wishes to relinquish its OSSF ordinance.
- (2) The city council shall post the required public notice in a newspaper regularly published or circulated in the area of jurisdiction at least thirty (30) days prior to the anticipated date of action by the authorized agent and must solicit written comments for that thirty-day period.
- (3) The city council shall send a copy of the public notice, a publisher's affidavit of public notice, and a certified copy of the court's minutes to the TCEQ.
- (4) The executive director of the TCEQ shall process the request for relinquishment and may issue an order relinquishing the authority to regulate OSSF's within an authorized agent's jurisdiction or may refer the request to relinquish to the commission.
- (5) The city and the TCEQ executive director shall agree upon the effective date that the authorized agent is to surrender its authority prior to the issuance of a relinquishment order.
- (6) Upon relinquishment of the ordinance, the local governmental entity shall surrender its area of jurisdiction to the commission.
- (7) The local governmental entity shall pay the TCEQ the appropriate charge back fees for permitting, inspections and complaint investigations of OSSFs in the surrendered area of jurisdiction.

(Ord. No. 2017-622, § 2, 8-29-17)

[<<Prev Rule](#)[Next Rule>>](#)

## Texas Administrative Code

TITLE 30

## ENVIRONMENTAL QUALITY

PART 1

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 285

## ON-SITE SEWAGE FACILITIES

SUBCHAPTER A

## GENERAL PROVISIONS

## RULE §285.4

## Facility Planning

(a) Land planning and site evaluation. Property that will use an on-site sewage facility (OSSF) for sewage disposal shall be evaluated for overall site suitability. For property located on the Edwards Aquifer recharge zone, see §285.40 of this title (relating to OSSFs on the Recharge Zone of the Edwards Aquifer) for additional requirements. The following requirements apply to all sites where an OSSF may be located.

(1) Residential lot sizing.

(A) Platted or unplatted subdivisions served by a public water system. Subdivisions of single family dwellings platted or created after the effective date of this section, served by a public water supply and using individual OSSFs for sewage disposal, shall have lots of at least 1/2 acre.

(B) Platted or unplatted subdivisions not served by a public water system. Subdivisions of single family dwellings platted or created after the effective date of this section, not served by a public water supply and using individual OSSFs, shall have lots of at least one acre.

(C) A platted or unplatted subdivision where one tract is divided into four or fewer parts; where each tract is five acres or larger; and each tract is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under Texas Government Code, Chapter 573 is exempt from submitting planning materials required in this section.

(2) Manufactured housing communities or multi-unit residential developments. The owners of manufactured housing communities or multi-unit residential developments that are served by an OSSF and rent or lease space shall submit a sewage disposal plan to the permitting authority for approval. The total anticipated sewage flow for the individual tract of land shall not exceed 5,000 gallons per day. The plan shall be prepared by a professional engineer or professional sanitarian. This plan is in addition to the requirements of subsection (c) of this section.

(b) Approval of OSSF systems on existing small lots or tracts.

(1) Existing small lots or tracts that do not meet the minimum lot size requirements under subsection (a)(1)(A) or (B) of this section, and were either subdivided before January 1, 1988, or had a site-specific sewage disposal plan approved between January 1, 1988, and the effective date of this section, are allowed to use OSSFs, but the OSSFs must comply with the requirements set forth in this Chapter.

(2) The owner of a single family dwelling on an existing small lot or tract (property 1) may transport the wastewater from the dwelling to an OSSF at another location (property 2) provided that:

(A) both properties (properties 1 and 2) are owned by the same person;

(B) the owner or owner's agent demonstrates that no OSSF authorized under these rules can be installed on the property which contains the single-family dwelling (property 1);

(C) if property not owned by the owner of properties 1 and 2 must be crossed in transporting the sewage, the application includes all right-of-ways and permanent easements needed for the sewage conveyance lines; and

(D) the application includes an affidavit indicating that the owner or the owner's agent recorded the information required by §285.3(b)(3) of this title (relating to General Requirements) on the real property deeds of both properties (properties 1 and 2). The deed recording shall state that the properties cannot be sold separately.

(c) Review of subdivision or development plans. Persons proposing residential subdivisions, manufactured housing communities, multi-unit residential developments, business parks, or other similar structures that use OSSFs for sewage disposal shall submit planning materials for these developments to the permitting authority and receive approval prior to submitting an OSSF application.

(1) The planning materials must be prepared by a professional engineer or professional sanitarian and must include:

(A) an overall site plan;

(B) a topographic map;

(C) a 100-year floodplain map;

(D) a soil survey;

(E) the locations of water wells;

(F) the locations of easements, as identified in §285.91(10) of this title (relating to Tables);

(G) a comprehensive drainage plan;

(H) a complete report detailing the types of OSSFs to be considered and their compatibility with area-wide drainage and groundwater; and

(I) other requirements, including Edwards Aquifer requirements that are pertinent to the proposed OSSF.

(2) If the proposed development includes restaurants or buildings with food service establishments, the planning materials must show adequate land area for doubling the land needed for the treatment units. The designer may consider increasing the amount of land area for the treatment units beyond doubling the minimum required area.

(3) The permitting authority will either approve or deny the planning materials, in writing, within 45 days of receipt.

**Source Note:** The provisions of this §285.4 adopted to be effective February 5, 1997, 22 TexReg 1114; amended to be effective June 13, 2001, 26 TexReg 4115; amended to be effective September 11, 2008, 33 TexReg 7536; amended to be effective December 27, 2012, 37 TexReg 9947

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