

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CODE OF ORDINANCES, CHAPTER 13, ARTICLE 13.04 ON-SITE SEWAGE FACILITIES AND AMENDING THE B3 TECHNICAL MANUAL, CHAPTER 3, ARTICLE 3.2 INFRASTRUCTURE REQUIREMENTS TO ALIGN WITH THE STATE REQUIREMENTS FOR SEPTIC SYSTEMS ON ONE-HALF ACRE LOTS; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to adopt an ordinance or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City of Bastrop recognizes the need to stay current with state regulations to ensure the health, safety, and welfare of its residents;

WHEREAS, the Texas State requirements for septic systems on one-half acre lots have been updated to reflect advancements in technology and environmental considerations;

WHEREAS, the City Council finds it necessary to amend the existing City Code to align with the aforementioned state requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1. Findings of Fact: The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

Section 2. Amendment To City Code And B3 Technical Manual: Section 13.04.007 of the City of Bastrop Code of Ordinances and Section 3.2.005 of the B3 Technical Manual are hereby amended to replace the phrase "one acre" with "one-half acre" in all instances referring to the minimum lot size requirements for septic systems and shall read in accordance with Exhibit "A", which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the

Code and any struck-through text shall be deleted from the Code, as shown in each of the attachments.

Section 3. Repealer: To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated.

Section 4. Severability: Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

Section 5. Codification: The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

Section 6: Effective Date: This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

Section 7. Proper Notice & Meeting: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

[Signatures on following page]

READ AND ACKNOWLEDGED on the First Reading by the City Council of the City of Bastrop, Texas, on this, the 13th day of February 2024.

READ AND APPROVED on the Second Reading by the City Council of the City of Bastrop, Texas, on this, the 27th day of February 2024.

APPROVED:

Lyle Nelson – Mayor

ATTEST:

Ann Franklin – City Secretary

APPROVED AS TO FORM:

Alan Bojorquez – City Attorney

EXHIBIT A

Amendment to City Code and B3 Technical Manual

City Code of Ordinances

Sec. 13.04.007 Amendments.

The city, wishing to adopt more stringent rules for its on-site sewage facility ordinance, understands that the more stringent conflicting local rule shall take precedence over the corresponding requirement of the state commission on environmental quality or any successive agency. Listed below are the more stringent rules adopted by the city:

- (1) No lot having a surface area of less than one-half (0.5) acre shall be henceforth permitted to utilize individual on-site sewage facility methods for sewage disposal; except that lots in subdivisions properly platted, approved, and recorded prior to April 20, 1981, shall be exempt from this one-half (0.5) acre minimum lot size requirement, to the extent permitted by current design criteria for on-site sewage facilities and administrative rules of the state commission on environmental quality, or any successive agency.
- (2) All individual surface and subsurface methods for sewage disposal (including septic systems) within the stated city jurisdiction shall have a site-specific design by a registered professional engineer or a registered sanitarian; and such engineer or sanitarian shall, upon project completion, certify that the installation has been completed in accordance with that engineer's or sanitarian's approved design plans. Such certification and plans shall be satisfactory to the city's designated representative (City Engineer).

(Ord. No. 2005-43, pt. 9, 11-22-05)

B3 Technical Manual

requirements of the State regulatory agency and the City of Bastrop.

SEC. 3.2.002 WATER LINES

(a) Piping for water mains and connections shall be ductile iron, or AWWA C900 polyvinyl chloride pipe. Service piping shall be copper for all commercial services and polyethylene for all residential services as approved by the City Engineer. All pipe and fittings shall be new and unused. All pipe and fittings shall conform to the latest standards as adopted by the City in Chapter 6, Construction Standards.

(b) When recommended by the City Engineer and approved by the City Council and so noted in the preliminary plat or final plat review, larger lines shall be installed.

SEC. 3.2.003 VALVES

(a) At intersections of water distribution lines, the number of valves shall be one less than the number of radiating lines, 2 valves for tee connection, and 3 valves for cross connection). Valves shall be located at the P.C. or P.T. of the nearest property line. All valves shall conform to the latest standards of the American Water Works Association.

SEC. 3.2.004 FIRE HYDRANTS

(a) Fire hydrants will be provided at a maximum spacing and shall meet the specifications per the IFC as adopted by the City. Hydrants shall be standard three-way post-type dry barrel hydrants complying to AWWA Standards with 6 inch or larger connections to mains.

SEC. 3.2.005 ON-SITE WASTEWATER SYSTEMS

(a) Lots ~~1~~ 0.5 acre or greater outside the wastewater CCN shall be permitted to utilize individual on-site sewage facility methods for sewage disposal; except that lots in subdivisions properly platted, approved, and recorded prior to April 20, 1981, shall be exempt from this ~~1~~ 0.5 acre minimum lot size requirement, to the extent permitted by current design criteria for on-site sewage facilities and administrative rules of the state commission on environmental quality, or any successive agency.

(b) All individual surface and subsurface methods for sewage disposal (including septic systems) within the City jurisdiction shall have a site-specific design by a registered professional engineer or a registered sanitarian; and such engineer or sanitarian shall, upon development completion, certify that the installation has been completed in accordance with that engineer's or sanitarian's approved design plans. Such certification and

City Code of Ordinances-Clean

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