

Chapter 6. Health and Sanitation

ARTICLE 6.06. MAINTENANCE OF STORMWATER DRAINAGE FACILITIES

§ 6.06.001. Definitions.

Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. This definition includes all federal, state, and local government entities.

Stormwater collection and conveyance facility. Any device such as a bridge, culvert, and ditch constructed in conformance with the Code of Ordinances and composed of a virtually non-erodible material such as concrete, steel, plastic (polyvinyl) or other such material that conveys water over, under or across real property, or any cut, excavated or constructed drainage ditch or slough intended to convey stormwater or surface water over, under or across land.

(Ordinance 536-12 adopted 11/20/12)

§ 6.06.002. Maintenance required.

An owner or occupant of private property shall maintain any stormwater collection conveyance facility developed under the town subdivision regulations and/or any stormwater drainage erosion and sediment control facility.

(Ordinance 536-12 adopted 11/20/12)

§ 6.06.003. Sediment accumulation.

No person shall cause, permit, suffer, or allow the accumulation of sediment in any stormwater collection facility regulated by this article so as to impede the designed flow of stormwater or drainage, or which otherwise causes flooding or unhealthy retention of stormwater.

(Ordinance 536-12 adopted 11/20/12)

§ 6.06.004. Erosion and sedimentation control.

Any person who owns, possesses, is in custody of, or exercises control of property shall be responsible for any silt, mud, sediment or sands transported from the property onto the lands of another by drainage. The intent of this article is that owners, builders, and developers make provisions for preventing erosion and sedimentation control at such time as their property is proposed for development, use, or modification, and to continue such preventive measures during the actual construction and development of the property. Additionally, any persons who, after construction and development, own, possess, and in custody of or who exercise control of the property are responsible for preventing the erosion and sedimentation as provided in this article.

(Ordinance 536-12 adopted 11/20/12)

§ 6.06.005. Declaration of nuisance.

In addition to other remedies as provided by law, any person who violates the provisions of this article shall be deemed to have created a public nuisance which may be abated pursuant to chapter 54 of the Texas Local Government Code.

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