



# Termination of Interlocal Agreement with Tarrant County for On-site Sewage Facilities

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CITY COUNCIL

MARCH 24, 2025

## BACKGROUND

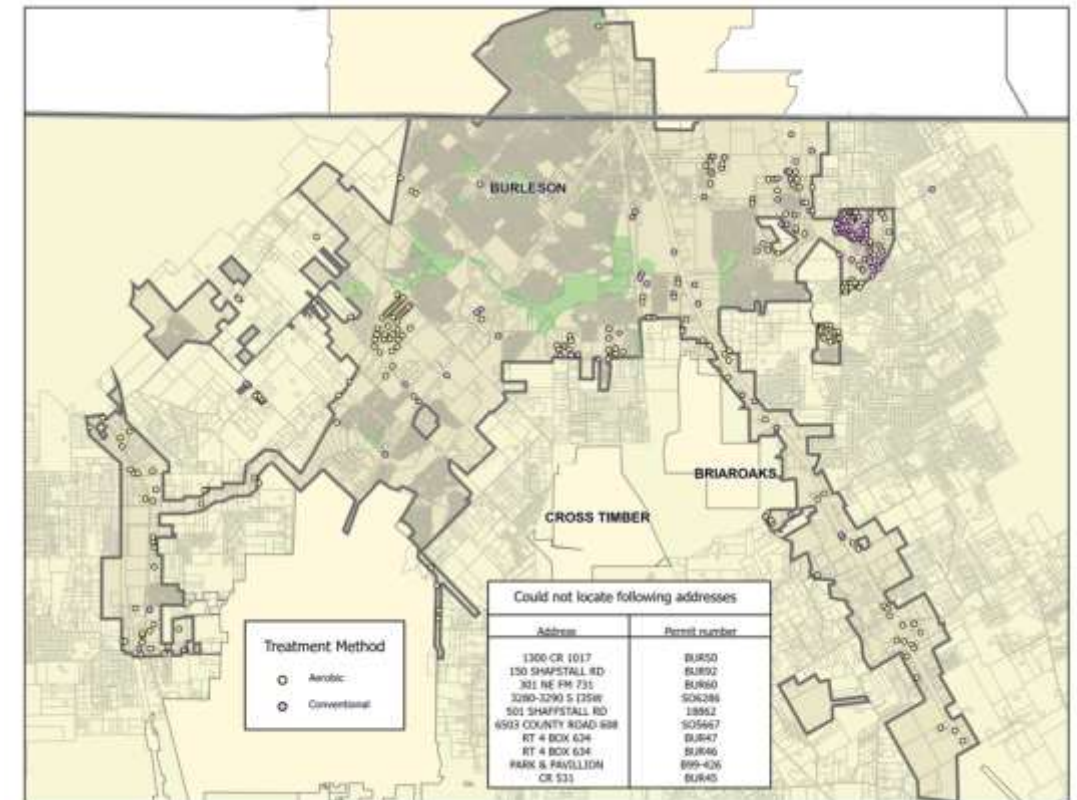
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- March 2000 - the City of Burleson was authorized by the Texas Natural Resource Conservation Commissions, now called the Texas Commission On Environmental Quality (TCEQ), to implement Ordinance No. B-637 to regulate on-site sewage facilities (OSSF).
- May 2005 – City signed interlocal agreement (ILA) with Tarrant County for inspection and permitting of On-Site Sewage Facilities (OSSF).
- February 2024 - the TCEQ conducted a compliance review relevant to the City of Burleson’s OSSF Program. There were no violations associated to the review.
- Although not required, TCEQ suggested that City of Burleson consider updating and /or revising the Order/Ordinance.



# Why Terminate ILA

- TCEQ compliance review required Tarrant County to implement new reporting guidelines. Burleson is situated in both Tarrant and Johnson counties, making the new procedures cumbersome for Tarrant County.
- Tarrant County leadership decided that based on the new requirements and the fact that only 30 or so permits/ inspections had been completed in 2 years for Burleson, that they did not want to continue using their resources for the ILA agreement.
- In April 2024, Tarrant County respectfully requested that City consider other options for administering the program.



# Moving Forward

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- Staff initially consulted with Johnson County Public Works regarding an ILA for the OSSF program, but after months of deliberation, they declined.
- Development Services– Environmental Services staff is prepared to administer the program with three (3) TCEQ certified Designated Representatives (i.e. OSSF inspectors).
- Environmental Services plans on assuming inspection and permitting duties on-or-about June 23, 2025.
- As suggested by the TCEQ, Development Services staff will provide an update the OSSF order/ ordinance in the near future.



# Next Steps

- March 25, 2025 - City Manager sends letter to Tarrant County notifying them of the Agreement termination with an effective date of June 23, 2025 ( 90 days required per Section 4 of the ILA).
- April 7, 2025 – Staff will bring an ordinance to City Council to amend the Fee Schedule removing Tarrant County Authority to determine the fees.
- April 21, 2025 – Second reading of Fee Amendment Ordinance.
- May – June 2025 – Staff will notify stakeholders ( OSSF installers, PE & RS designers, maintenance Companies) of the changes.

2. On-site sewage facility fee	<del>DETERMINED BY TARRANT COUNTY</del>
<b>A. New System</b>	
1. Application Fee	\$0
2. Water research fee	\$10
3. Permit Fee	\$250
4. Total for new system	\$260
<b>B. Reinspection of system</b>	\$75
<b>C. Repair of system previously permitted</b>	\$100

## Summary of Investigation Findings

CITY OF BURLESON AUTHORIZED AGENT  
141 W RENFRO ST  
BURLESON, JOHNSON COUNTY, TX 76028

Investigation # 1973535

Investigation Date: 02/29/2024

Additional ID(s): 620114

No Violations Associated to this Investigation

### ADDITIONAL ISSUES

Description  
Item #1

#### Additional Comments

AA should consider updating and/or revising their Order in some areas, specifically language that still identifies the "Texas Natural Resource Conservator Commission" should be updated to "Teas Commission on Environmental Quality."

In Sec. 7-64. Amendments. (a), the Order states, "Regardless of the acreage each on-site sewage facility within the city must have a permit issued by the city." This provision should be updated as permits are being issued from Tarrant County Public Health. It is recommended to remove/edit "by the city" in this provision.

In Sec. 7-64. Amendments. (c), the Order states, "An on-site sewage facility must be installed by a state registered installer one or two. A homeowner may not install his own system." This potentially excludes homeowners who may also be a licensed installer I or II. It is recommended to revise the amendment so that "A homeowner may not install [their] own system, unless they are a licensed installer I or II."

In Sec. 7-65. Enforcement, the Order states, "The Environmental Service Director of the city, after approval and certification by the Commission, shall serve as the designated representative for the enforcement of the Rules within the City..." The provision does not include contracted services for a Designated Representative (DR). It is recommended to update this provision of the Order to include, "The Environmental Service Director of the City or other licensed Designated Representative with which contract services have been enacted,..., shall serve as the designated representative..."



## UPCOMING

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- As suggested by the TCEQ, staff will update the OSSF order/ ordinance in the Fall 2025 with the changes suggestions in the *Summary of Investigation Findings*

# Recommendation

## Staff Recommendation

Approve the resolution approving the termination of an interlocal agreement between the City of Burleson and Tarrant County for the inspection and permitting of certain on-site sewage disposal systems in the City of Burleson.

