

CITY OF EVERMAN

ORDINANCE NO. 830

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVERMAN, TEXAS, CHAPTER 20 “UTILITIES” BY ADDING A NEW ARTICLE XII “ADOPTION OF CERTAIN PORTIONS OF FORT WORTH CITY CODE”; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE .

WHEREAS, pursuant to agreements pertaining to treatment of industrial wastewater and sewage between the City of Everman and the City of Fort Worth, the City has agreed to adopt certain portions Chapter 12.5, “Environmental Protection and Compliance” of the City of Fort Worth City Code of Ordinances, including amendments thereto upon notification of the same by City of Fort Worth; and

WHEREAS, the City Council of the City of Everman has determined that it is in the best interest of the City and serves the health, safety, and general welfare of the citizens to adopt those certain provisions of the Fort Worth City Code as set forth hereinbelow;

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

SECTION 1: That the Code of Ordinances of the City of Everman, Texas is hereby amended at Chapter 20 “Utilities” by adding a new Article XII “Adoption of Certain Portions of Fort Worth City Code” to read in its entirety as follows:

“CHAPTER 20 UTILITIES

. . .

ARTICLE XII Adoption of Certain Portions of Fort Worth City Code

Sec. 20-550 Adoption of Portions of Chapter 12.5 of Fort Worth City Code

Pursuant to agreements pertaining to treatment of industrial wastewater and sewage between the City of Forest Hill and the City of Fort Worth, the city does hereby adopt the following portions of Chapter 12.5 “Environmental Protection and Compliance” of the Fort Worth City Code of Ordinances:

- (1) Article I, division 1, General Provisions, sections 12.5-103 through 12.5-105;
- (2) Article II, division 3, Enforcement Options, sections 12.5-111 through 12.5-123;
- (3) All of Article VI, Industrial Wastewater; and
- (4) All of Article VII, Liquid Waste.

Such provisions are incorporated herein by reference as if fully stated verbatim.

Sec. 20-551 Deletions, Exceptions and Modifications

- (1) Throughout the provisions adopted in this Article, the following deletions, exceptions and modifications apply:
 - (A) Whenever the words “City,” “City of Fort Worth,” or “Fort Worth” are used, there shall be substituted “City of Everman” unless otherwise noted.
- (2) The following deletions, exceptions and modifications are made to article I, division 1:
 - (A) “City” shall mean the City of Everman, Texas.
 - (B) “Environmental manager” shall mean the City Manager of the City of Everman and his authorized representatives.
 - (C) In the definition of “Polluted water,” the words “in Article V, Division 2 of the chapter” are deleted.
 - (D) In the definition of “Pollution hazard,” the words “in Article V, Division 3” are deleted.
 - (E) In the definition of “POTW (publicly owned treatment works),” the word “City” shall and does mean the City of Fort Worth, Texas.
- (3) The following deletions, exceptions, and modifications are made in article I, division 3:
 - (A) In section 12.5-111(a), “Director” is defined as and shall mean the city manager of the City of Everman or the authorized representative of the city manager.
 - (B) Section 12.5-111(b) is deleted in its entirety.
 - (C) In section 12.5-112, the words “Fort Worth Municipal Court” are changed to “Everman Municipal Court.”
- (4) The following deletions, exceptions, and modifications are made in article VI, division 5, Wastewater Discharge Permit Issuance Process:
 - (i) Section 12.5-647 is deleted.
 - (ii) Section 12.5-648 is deleted.”

SECTION 2: All ordinances, orders, or resolutions heretofore pass and adopted by the City Council of the City of Everman, Tarrant County, Texas are hereby repealed to the extent that said ordinances, orders, or resolutions, or parts thereof, are in conflict herewith.

SECTION 3: Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 4. Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

SECTION 5. This ordinance shall be effective from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Everman, Tarrant County, Texas this the ____ day of _____, 2025.

APPROVED:

Ray Richadson, Mayor

ATTEST:

APPROVED AS TO FORM:

Mindi Parks, City Secretary

Victoria Thomas, City Attorney