



BUILDING INSPECTIONS

To: Mayor and Town Council

From: Brady Cudd, Building Official

Through: Ron K. Patterson, Interim Town Manager
Hulon T. Webb, Jr., Interim Executive Director of Development and Infrastructure Services
Frank E. Jaromin, Public Works Director

Re: Irrigation Ordinance Update

Town Council Meeting – December 13, 2022

Agenda Item:

Consider and act upon an ordinance amending Subsection (d) of Section 6.06.005, "Specific conditions and cross-connection controls," of Article 6.06, "Irrigation Systems," of Chapter 6, "Health and Sanitation," of the Town's Code of Ordinances.

Description of Agenda Item:

Section 551.006 of the Texas Local Government Code requires municipalities with a population greater than 20,000 people, regulate the installation of irrigation systems within the corporate limits of the municipality and within the municipality's extraterritorial jurisdiction to protect against the contamination of the agency's water supply. The statute also requires that such regulations include minimum standards for designing, installing, and operating irrigation systems, require proper licensing for irrigation installers, and require permits from the municipality before irrigation systems are installed.

On November 23, 2021, the Town Council adopted the first of two phases of the Irrigation Ordinance to establish new requirements for the installation and alteration of irrigation systems, pursuant to Section 551.006 of the Texas Local Government Code, and which supported the Town's water conservation and water supply protection efforts. These requirements included:

- Proper licensing requirements for professionals that install irrigation systems
- Permitting requirements for the installation of new systems
- Backflow prevention requirements for the protection of potable water supply
- Irrigation plan requirements to ensure that the irrigation systems are designed, installed, and maintained in a way that promotes water conservation
- Completion documents at the end of irrigation installation that confirm the installation was in accordance with the ordinance and industry requirements

- Provided for additional protections to the Town's water supply against backflow and backpressure
- Provided homeowners with additional information regarding their irrigation system including plans and a maintenance checklist
- Provided additional protections for homeowners by increasing the oversight of the irrigation system design and installation
- Required annual testing of existing backflow device(s)

This ordinance is the second phase of the Irrigation Ordinance and will establish new backflow prevention requirements on properties with on-site sewage facilities, consistent with the Texas Local Government Code and the Texas Commission on Environmental Quality (TCEQ) regulations. As committed to during the adoption of the first phase of the Irrigation Ordinance on November 23, 2021, the Public Works Department has completed public notification of the requirements for a Reduced Pressure Zone (RPZ) to be in place on all irrigation systems installed on properties that contain septic systems and that are connected to the Town's public water supply and that existing double-checks will need to be replaced with an RPZ should the existing system undergo a major alteration or should the double-check not be repairable in-ground.

With the adoption of this ordinance, the Irrigation Ordinance will begin requiring existing backflow devices on irrigation systems installed on properties that contain septic systems and connected to the Town's public water supply, be replaced with an RPZ if they cannot be repaired in-ground, consistent with Section 551.006 of the Texas Local Government Code and the Texas Commission on Environmental Quality (TCEQ) regulations.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the ordinance as to form and legality.

Attachments:

1. Ordinance

Town Staff Recommendation:

Town staff recommends that the Town Council approve an ordinance amending Subsection (d) of Section 6.06.005, "Specific conditions and cross-connection controls," of Article 6.06, "Irrigation Systems," of Chapter 6, "Health and Sanitation," of the Town's Code of Ordinances.

Proposed Motion:

I move to approve an ordinance amending Subsection (d) of Section 6.06.005, "Specific conditions and cross-connection controls," of Article 6.06, "Irrigation Systems," of Chapter 6, "Health and Sanitation," of the Town's Code of Ordinances.