

ORDINANCE NO. 190

AN ORDINANCE ESTABLISHING REGULATIONS FOR CONNECTIONS AND ACCESS TO TOWN WATER AND SEWER SYSTEM; PROVIDING FOR A PENALTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Annetta, Texas is a Type A general law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town of Annetta operates its own water and sewer system in order to provide water and sewer serves within the Town; and

WHEREAS, the Town Council of the Town of Annetta finds and declares that controlling the access and connections to the Town's water and sewer system is necessary to ensure that water and sewer services are properly provided and protected throughout the Town; and

WHEREAS, the Town Council of the Town of Annetta finds and declares that unauthorized connections and access to the Town's water and sewer system are a threat to public health and safety; and

WHEREAS, the Town Council of the Town of Annetta desires to establish regulations governing the connections and access to Town water and sewer facilities in order to protect the health, safety, and welfare of its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ANNETTA, TEXAS:

**SECTION 1
UNAUTHORIZED CONNECTION OR USE – OFFENSE**

- (a) It shall be unlawful to connect any property or premises to the Town water or sewer system without prior written Town authorization.
- (b) It shall be unlawful for any person to open or close any fire hydrant or stopcock connected with the water system of the Town, lift or remove the covers of any gate valves or shutoffs thereof, remove any manhole covers, or enter a manhole without prior written Town authorization.
- (c) It shall be unlawful for any person to obstruct, drill, tamper or in any way injure any of the pipes, valves, drains, works, or equipment belonging to or connected with the Town water or sewer system.

- (d) No person shall deposit any garbage, petroleum products, foreign matter, animals, filth or any substance having a tendency to obstruct the flow of sewage in any manhole, sewer opening, or sewage treatment plant and plant operations.
- (e) No person shall assist another in violating this section.

**SECTION 2
ENFORCEMENT**

- (a) Each day any violation of this ordinance shall continue shall constitute a separate offense.
- (b) The Town may pursue any and all available remedies, including, but not limited to abatement of nuisances, injunctive relief and revocation of licenses or permits.
- (c) No culpable mental state will be required to prove such a violation of this ordinance.

**SECTION 3
PENALTY**

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand and No/100 Dollars (\$2,000) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 4
CUMULATIVE OF ALL ORDINANCES**

This ordinance shall be cumulative of all provisions of ordinances of the Town of Annetta except when the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 5
SEVERABILITY**

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the Town Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 6
PUBLICATION**

The Town Secretary of the Town of Annetta is hereby directed to publish in the official newspaper of the Town of Annetta, the caption, penalty clause, publication clause, and effective date clause of this ordinance as authorized by Section 52.011 of the Local Government Code.

**SECTION 7
EFFECTIVE DATE**

This ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 18th DAY OF JANUARY, 2018.



Bruce Pinckard, Mayor

Attest:



Jamee Long, City Secretary

