

ORDINANCE NO. 3599

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS ADOPTING RULES AND REGULATIONS HEREIN SET FORTH FOR THE MAINTENANCE AND OPERATION OF THE CITY OF LUFKIN SEWER SYSTEM; PROVIDING FOR THE PROTECTION OF THE HEALTH AND SAFETY OF THE CITIZENS OF LUFKIN; PROVIDING A PENALTY FOR VIOLATION; CONTAINING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND A REPEALER CLAUSE; PROVIDING FOR PUBLICATION, CODIFICATION, AND AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

_____ **WHEREAS**, the City of Lufkin, a home-rule municipality, is authorized by Charter to adopt and implement necessary and reasonable ordinances in the best interests of its citizenry; and

WHEREAS, it is the desire of the City Council of the City of Lufkin, Texas that the City adopt rules and regulations setting forth requirements for the operation and maintenance of the sewer system; and

WHEREAS, it is the desire of the City Council of the City of Lufkin, Texas that the City provide for the protection of the health and safety of the Citizens of Lufkin;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lufkin, that from and after the passage of this Ordinance the operation and maintenance of the Lufkin Sewer Collection System shall conform to the following rules and regulations.

SECTION I

Definitions

Section 1.01 Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Ordinance shall be as follows:

Building Sewer shall mean the extension from the sanitary sewer drainage system of any structure to the public sewer mains.

Sewer Stub shall mean that portion of the sewer that connects to the public sewer main and extends to the property line and is available to receive a building sewer connection.

Building Sewer Connection shall mean the pipe installed from the property line to

the building to receive the sanitary sewerage generated by a building or household.

City shall mean the City of Lufkin, Angelina County a municipality of the State of Texas, acting by and through its Council Members or, in appropriate cases, acting by and through its authorized representatives.

Owner shall mean any Person vested with ownership, legal or equitable, sole or partial, or possession of any improved property.

Person shall mean any individual, partnership, company, association, society, corporation, or other legal entity.

Sanitary Sewerage shall mean normal water-carried household and toilet wastes discharged from any improved property, excluding ground, surface, or storm water.

Sewer shall mean any pipe or conduit constituting a part of the Sewer Collection System used or usable for sewage collection purposes.

Sewer Collection System shall mean all facilities, as of any particular time, for collecting, pumping, and transporting, treating Sanitary Sewerage located in the City Limits of Lufkin and/or owned and maintained and operated by the City of Lufkin.

Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface water.

Notice shall mean actual notice or written notice mailed postage prepaid first-class mail to any persons last know address.

SECTION 2

Use of Public Sewers Required

Section 2.01 The owner of a building or any part of a building occupied as a residential, commercial, or manufacturing facility located within 100 feet of a public sewer, shall connect such building with the sewer in such manner as the City may require within 90 days after notice to such owner from the City to make such connection, for the purpose of discharging all sanitary sewer and industrial waste from such buildings into the public sewer subject to any limitations and restrictions as are established in this ordinance and/or any other ordinance or the

City's industrial pretreatment program. Each such owner shall, at the same time limit, cease and desist from all further discharge of sanitary sewerage or industrial waste, except into the public sewer.

Section 2.02 The City shall extend the Public Sewer at its expense to provide a Sewer Stub for a building or proposed building located on a lot of record if such building or proposed building is located within the City Limits of the City of Lufkin. The timing and location of the extension of service shall be determined by the City of Lufkin based on budgetary constraints. It is the policy of the City of Lufkin that no sewer service shall be provided to a person outside the City Limits of Lufkin. The City Council may on a case by case basis extend sewer service to non-profit corporations outside the City Limits which are located within 100 feet of the sewer collection system.

Section 2.03 All sanitary sewerage and industrial wastes from any building, after connection of such building with a sewer as required under Section 2.01, shall be conducted into a sewer, subject to limitations and restrictions as shall be established herein or otherwise shall be established by the City, from time to time.

Section 2.04:

A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or other objectionable waste.

B. It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this ordinance and the State of Texas.

Section 2.05 No privy vault, cesspool, sinkhole, septic tank, on-site sewer system or similar receptacle shall be used and maintained at any time for any building which has been connected to a Sewer or which shall be required under Section 2.01 to be connected to a Sewer.

Section 2.06 No privy vault, cesspool, sinkhole, septic tank, on-site sewer system, or similar receptacle at any time shall be connected with a Sewer.

SECTION 3

Building Sewers and Connections

Section 3.01 Except as otherwise provided in this Section 3.01, each building shall be connected separately and independently with a Sewer through a Building Sewer. Grouping of more than one single family dwelling on a sewer stub shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, but then only after special permission of the City Engineer, in writing, shall have been secured and subject to such rules, regulations, and conditions as may be prescribed by the City.

Section 3.02 The City will at its expense during construction of a new sewer construct a Sewer Stub from the public sewer to the property line of each existing lot along the line and all costs and expenses of construction of the remainder of the Building Sewer, including connection to the structures served, shall be borne by the Owner of the building to be connected; and such Owner shall indemnify and save harmless the City, its officers and agents, from all loss of damage that may be occasioned, directly or indirectly, as a result of construction of a Building Sewer Connection on the Owner's premises or the connection to the Sewer System. After the initial construction of the Building Sewer Connection the Owner shall thereafter be obligated to pay all costs of expenses of operation, repair, maintenance, and of reconstruction of the entire Building Sewer beginning at the Public Sewer Main and ending at the building.

Section 3.03 A Building Sewer shall be connected to Public Sewer Main at the place designated by the City and where a connection is provided.

Section 3.04 If the Owner of any building located with the City and benefitted, improved, served or accommodated by any Sewer, or to which any Sewer is available, after 90 days notice from the City, in accordance with Section 2.01, shall fail to connect such building as required, he shall be in violation of this Ordinance and the City may make such connection and may collect from such Owner the costs and expenses thereof by such legal proceedings as may be permitted by law. The City shall have full authority to enter on Owner's property to do whatever is necessary to properly drain sewer from the Improved Property

into the public sewer. Failure to comply may also result in discontinuing of water service by the City until such time as the property is in compliance.

Section 3.05 No person shall uncover, connect with, make any opening into or use, alter or disturb in any manner any Sewer or any Part of the Sewer System. All taps, connects, extensions, or any alteration of the Sewer System must be completed by the City's Public Utilities employee's or by Contractor's employed and supervised by the City.

Section 3.06 The City Engineer may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

- a. Wastewater discharge peak rates and volume over a specified time period.
- b. Chemical analyses of wastewaters.
- c. Information on raw materials, processes, and product affecting wastewater volume and quality.
- d. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- e. A plot plan of sewers on the user's property showing sewer and pretreatment facility locations as prepared by a registered Professional Engineer or Land Surveyor.
- f. Details of wastewater pretreatment facilities.
- g. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

Section 3.07 Construction must meet the following requirements:

- a. All connections and joints will be smooth, neat, and water tight.
- b. All pipe materials shall be PVC, ASTM D-3034, SDR 26 or better as approved by the City Engineer. Sewer Stubs may use ASTM D-3034, SDR-35 for sewers less than five feet in depth. The Building Sewer Connection shall comply with the adopted plumbing code.
- c. All taps, laterals, and connections 6 inches and greater must be made at a manhole.

- d. All construction must be in accordance with attached construction details as identified in EXHIBIT 1.
- e. All building sewers shall be of sufficient size and type as determined by the City's adopted building and plumbing codes.
- f. The slope from the building to the public sewer main shall be satisfactory to the Director of Building Inspections. If the slope cannot be made satisfactory, then such other reasonable steps will be taken as will be satisfactory to the Director of Building Inspections up to and including on-site pumping systems. Any pumping systems will be purchased, maintained and operated by the Owner.
- g. All work shall be performed in strict conformity to the requirements of the City of Lufkin.

ARTICLE IV

Rules and Regulations Governing Building Sewer and

Connection to Sewers

Section 4.01 No Building Sewer or repair thereto shall be covered until is has been inspected and approved by the City. If any part of a Building Sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the Owner of the building to be connected to a Sewer.

Section 4.02 Every Building Sewer shall be maintained in a sanitary and safe operating condition by the Owner. Failure to maintain the Building Sewer may result in discontinuing of service.

Section 4.03 Every excavation for a Building Sewer shall be guarded adequately with barricades and lights to protect all persons from damage and injury, except where the excavation presents no reasonable danger to either the neighbors or the public.

Section 4.04 If any Person shall fail or refuse, upon receipt of a notice of the City, in writing, to remedy any unsatisfactory condition with respect to a Building Sewer, within 45 days of receipt of such notice (except that in a case of dire emergency this time period may be reduced as necessary to protect the health

and safety of the residents of the City), the City may remedy any unsatisfactory condition with respect to a Building Sewer and may collect from the Owner the costs and expenses thereof by such legal proceedings as may be provided by law. The City shall have full authority to enter on the Owner's property to do whatever is necessary to remedy the unsatisfactory condition.

Section 4.05 Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are discharged into the system shall notify the City Engineer at least 60 days prior to the proposed change or connection. Proposed new discharges from residential or commercial sources involving loading exceeding 50 population equivalents (5,000 gpd) shall contact the City Engineer for approval. Any new industrial discharge, or any alteration in either flow or waste characteristics in industrial discharge must obtain the approval of the Wastewater Treatment Plant Superintendent.

Section 4.06 When a building is demolished and not immediately replaced, the Owner, having first notified the Building Inspections Department, shall adequately seal off his building sewer where it connects to the public sewer main.

Section 4.07 When a building is once connected to the sewer system the Owner shall promptly clean and fill the prior private septic or aerobic system in a manner satisfactory to the City.

Section 4.08 Where the Owner excavates within or otherwise disturbs public property, then the Owner shall give the City Public Utilities Department prior notice of the proposed action, shall follow all directions of the Director of Public Utilities and shall promptly and safely and at the Owner's expense, complete the action and restore the public property in a manner satisfactory to the City.

ARTICLE 5

Sewer Waste Restrictions

Section 5.01 No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, or subsurface drainage to any sanitary sewer.

Section 5.02 Stormwater and all other unpolluted drainage shall be discharged to storm sewers, if available, or to a natural outlet approved by the City.

Section 5.03 No person shall discharge or cause to be discharged any substance in violation of the City's Pretreatment Ordinance.

ARTICLE 6

Variance

Section 6.01 The City Engineer, with the Approval of the City Manager, may allow reasonable variances which will not result in a violation of State or Federal Law upon suitable conditions from this ordinance, provided:

- a. The owner pays a variance fee of one hundred (100) dollars. Fee is not refundable regardless of outcome of variance request.
- b. The variance allowed is the least variance reasonable.
- c. The variance will not cause undue harm or inconvenience to the City, the public sewage system, or the residents of the City.
- d. The variance is justified by substantial reason.

Section 6.02 The Owner shall apply for the variance in writing to the City Engineer. The application shall identify the name and address of the Owner, the property in question, the specific variance sought by the Owner and a substantial reason justifying the variance. The variance fee shall be paid with the application or the variance shall be deemed to have been denied. The variance, if any, shall identify any changes, limitations or restrictions on the variance as applied for.

ARTICLE 7

Inspection

Section 7.01 The Director of Public Utilities and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this ordinance.

Section 7.02 The Director of Public Utilities and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly recorded easement for the purposes of, but not limited to , inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement.

ARTICLE 8

Penalties

Section 8.01 Any person violating this Ordinance shall be guilty of a misdemeanor. Thirty (30) days following notice to the Owner of such violation, each day of continued violation shall be a separate offense. This penalty shall be in addition to the City's right to correct or enjoin any violation, charging expense thereof to the Owner.

Section 8.02 Any person found to be violating any provision of this ordinance shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correcting thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The City may, after informal notice to the person discharging wastewater to the public sewer, immediately halt or prevent such discharge reasonably appearing to present an imminent endangerment to the environment, or which threatens to interfere with the operation of the public sewer or wastewater treatment facilities.

Section 8.03 Any person found to be violating any provisions of this ordinance shall be fined in the amount not exceeding \$500 for each violation in the case of an individual, and \$1000 for each violation in the case of a corporation or unincorporated association. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 8.04 No person(s) shall break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the wastewater facilities. Any person(s) violating this provision shall be guilty of a misdemeanor.

ARTICLE 9

Validity

Section 9.01 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 9.02 The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE 10

Effective Date

Section 10.01 This ordinance shall be effective within thirty (30) days of the approval of the ordinance on second reading by the City Council of the City of Lufkin.

PASSED AND APPROVED on First Reading by the City Council of the City of Lufkin, Texas, on this the 1st day of October, 2002.



Louis A. Bronaugh, Mayor

ATTEST:



Atha Martin, City Secretary

PASSED AND APPROVED on Second Reading by the City Council of the City of Lufkin, Texas, on this the 15th day of October, 2002.

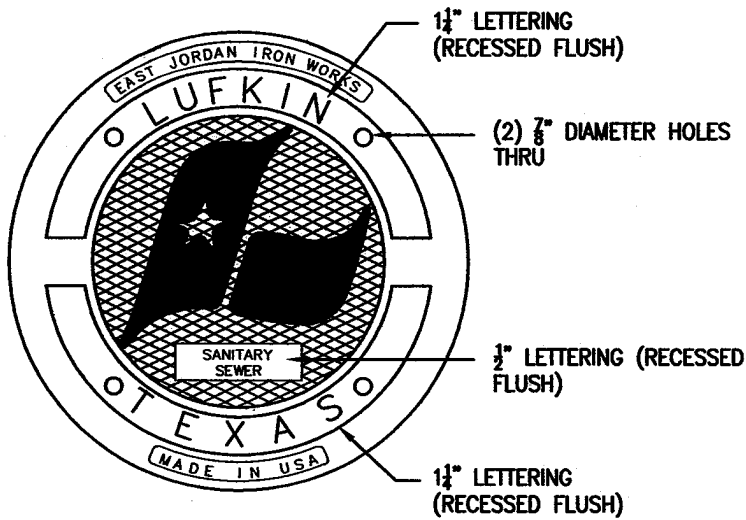


Louis A. Bronaugh, Mayor

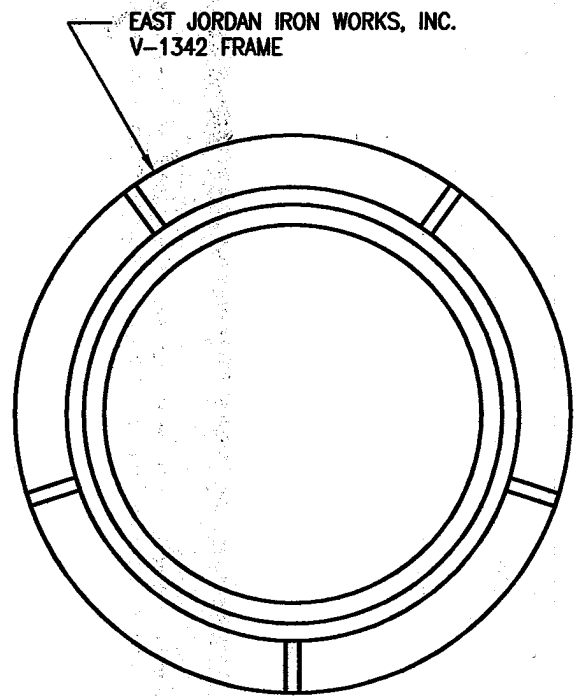
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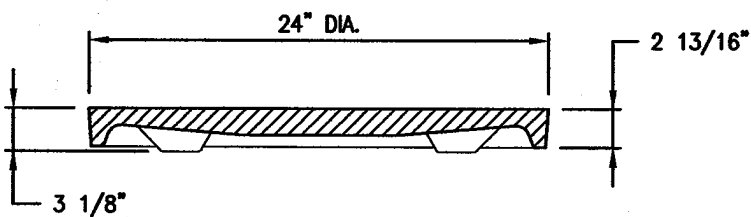
Atha Martin, City Secretary



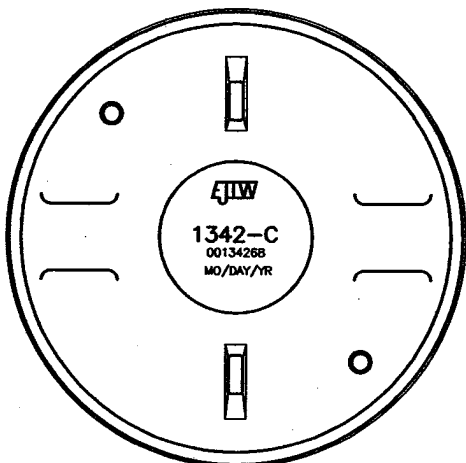
COVER PLAN



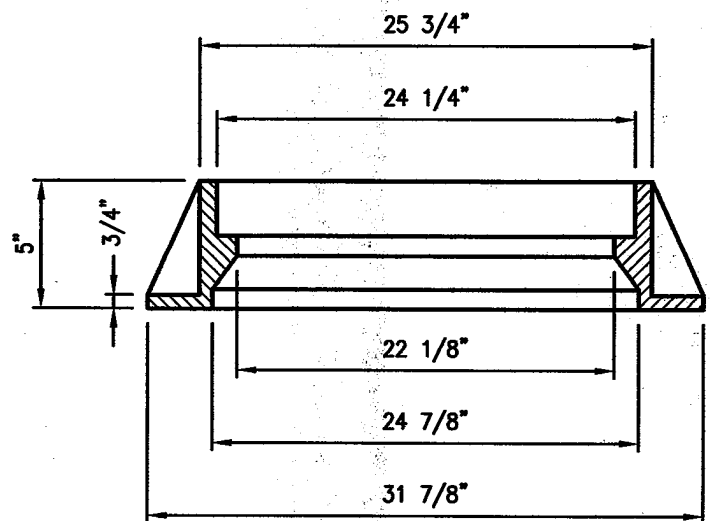
FRAME PLAN



COVER SECTION



BOTTOM VIEW OF COVER



FRAME SECTION

SS-I-A.DWG



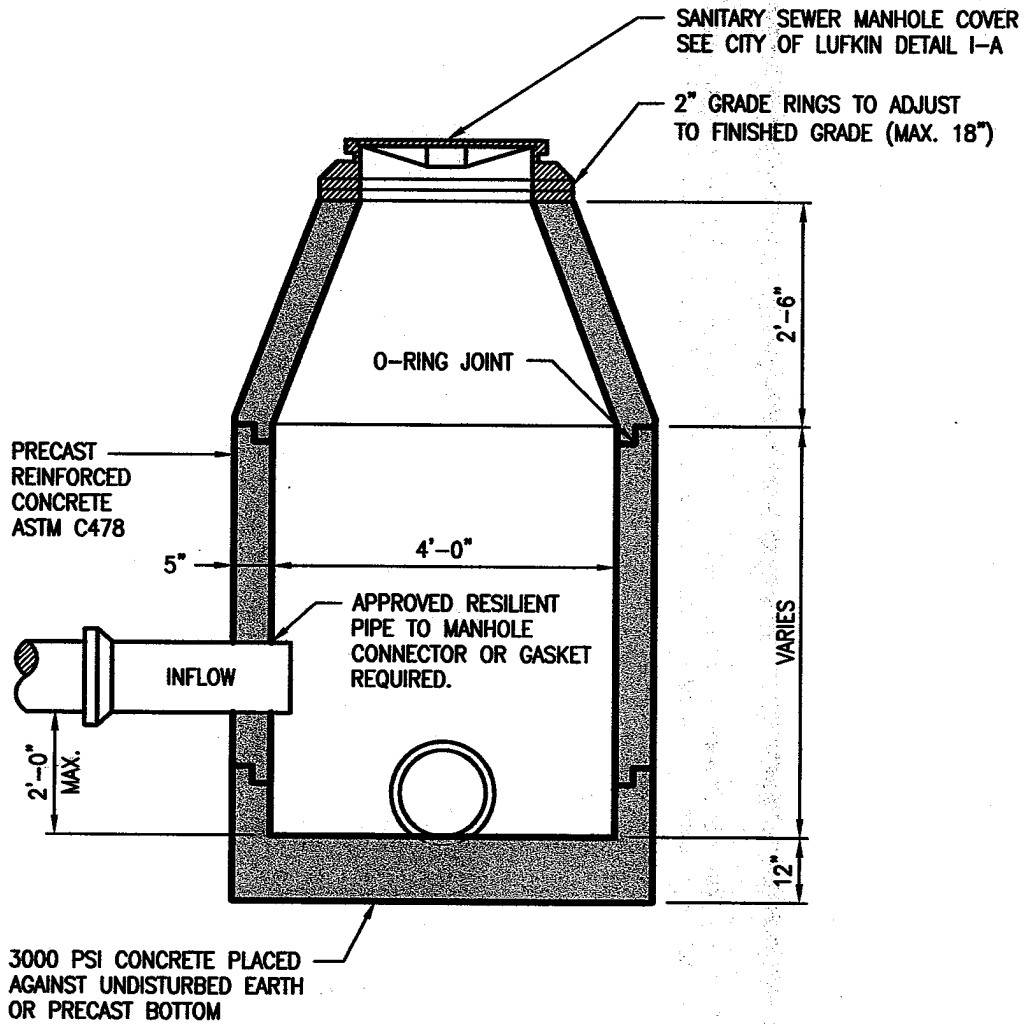
CITY OF LUFKIN
 ENGINEERING DEPARTMENT
 P.O. BOX 190
 LUFKIN, TEXAS 75902-0190
 PHONE: (936) 633-0414

SANITARY SEWER

SANITARY SEWER MANHOLE COVER

I-A

09-26-02



NOTE: PROVIDE 6" WIDE
ANTI-FLOATATION COLLAR ON BASE OF
MANHOLE IF CALLED FOR IN PLANS

SS-I-B.DWG



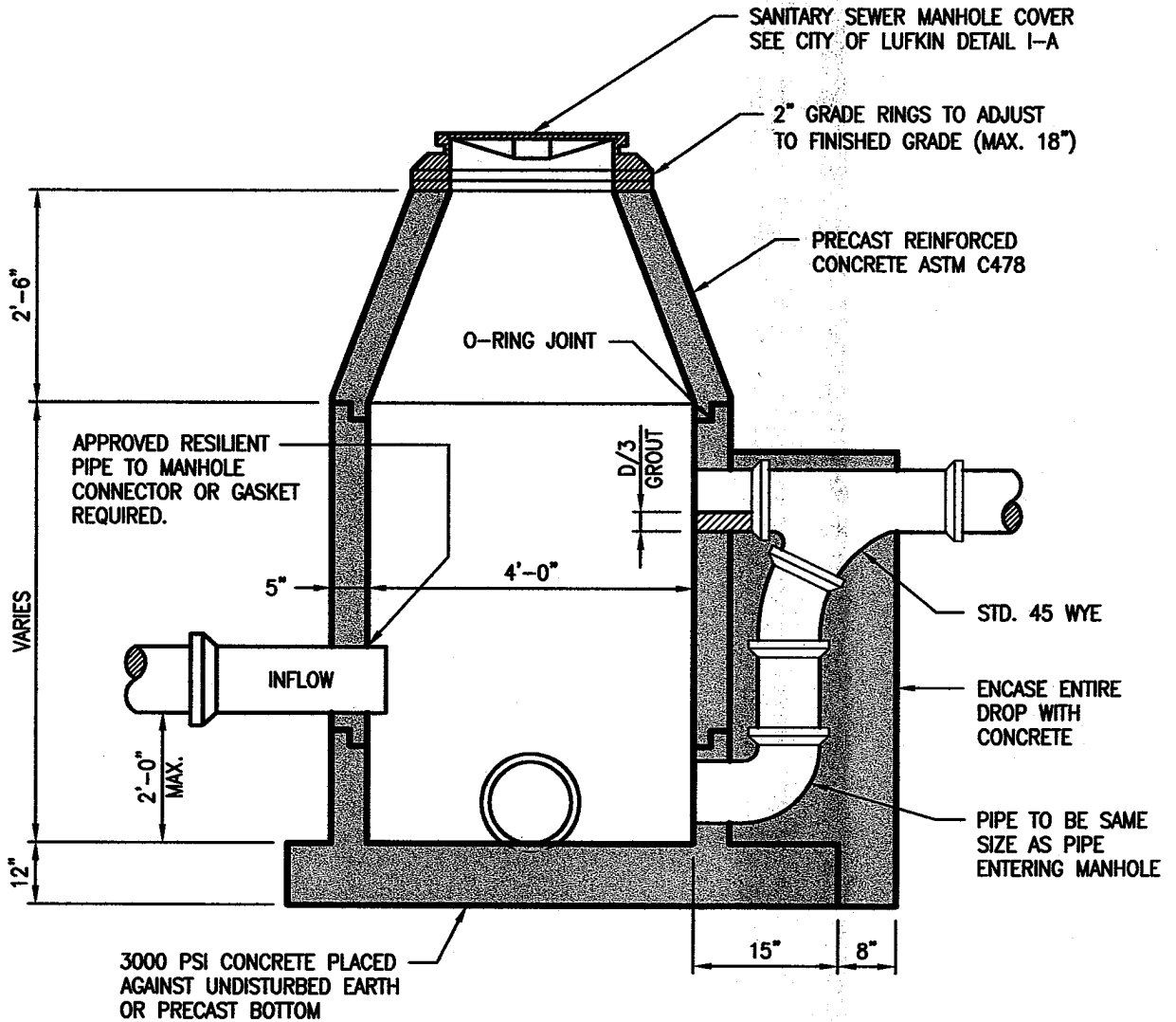
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SANITARY SEWER

STANDARD MANHOLE

I-B

09-26-02



SS-I-C.DWG



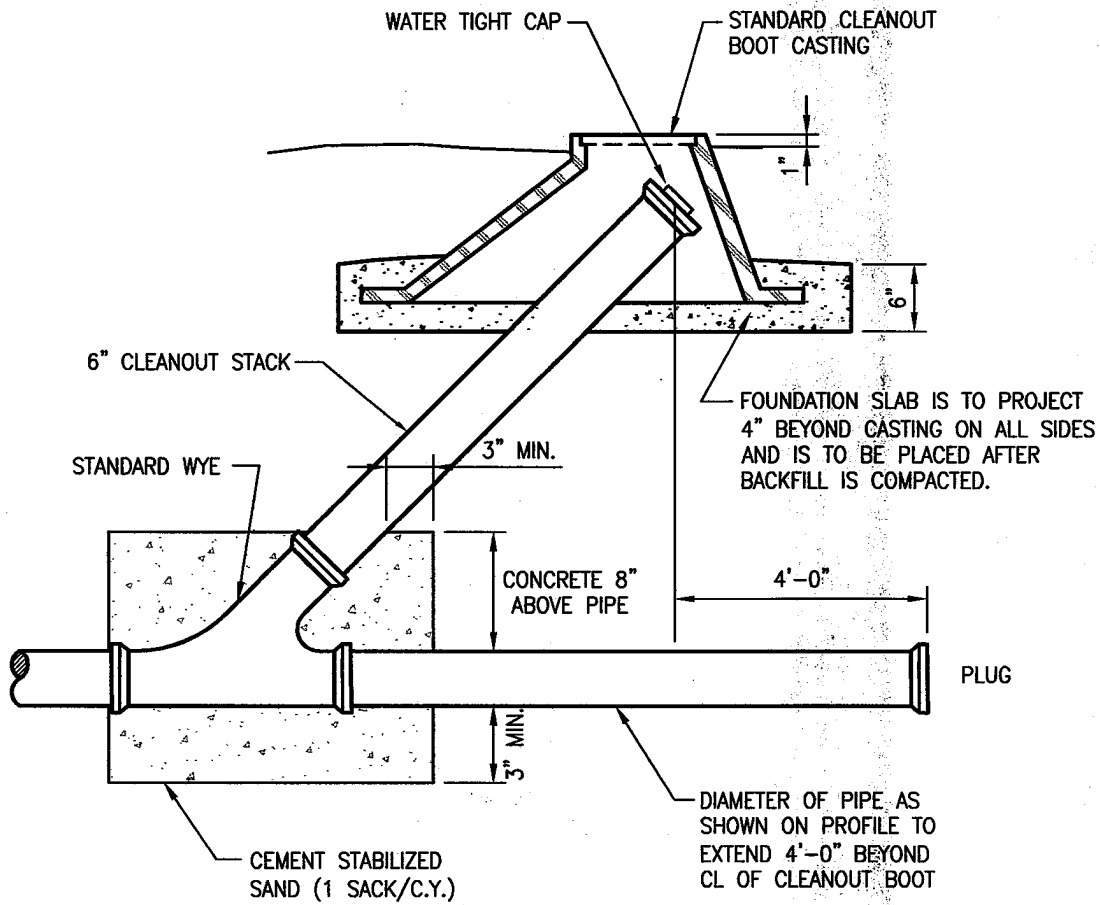
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SANITARY SEWER

DROP MANHOLE DETAIL

I-C

09-26-02



SS-I-D.DWG



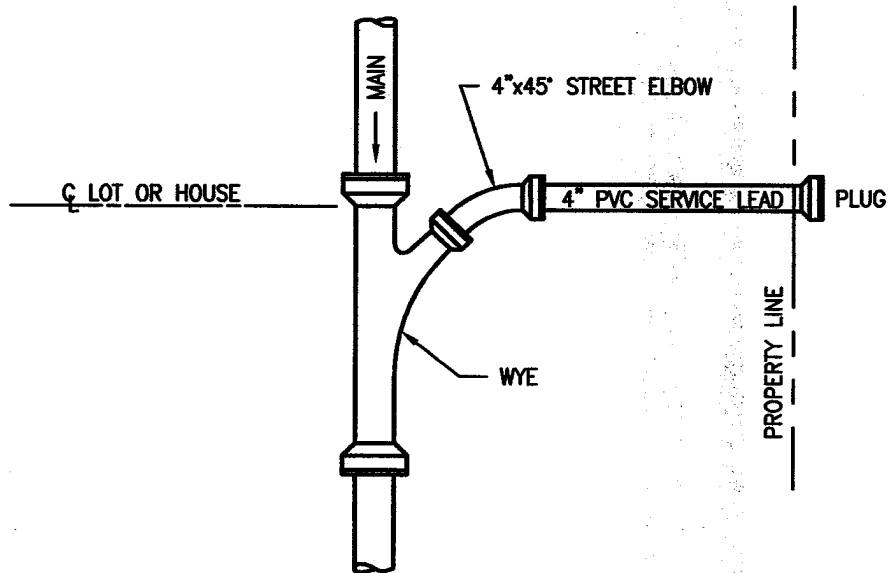
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SEWER

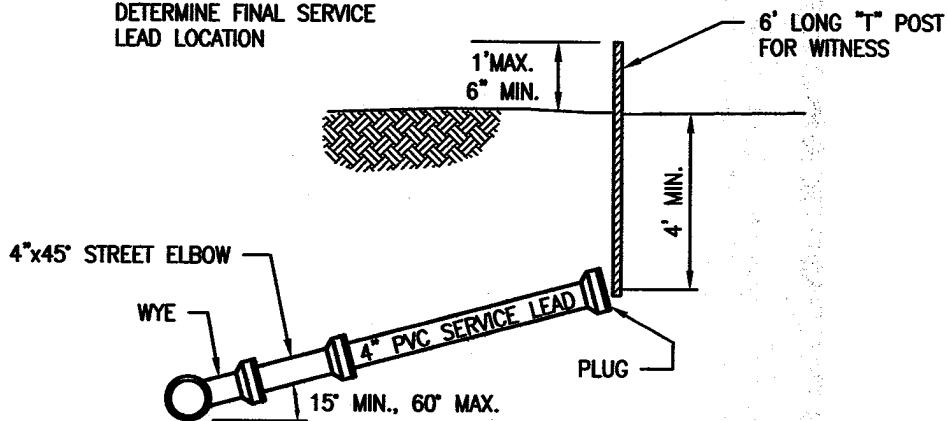
CLEANOUT DETAIL

I-D

09-26-02



NOTE: CONTRACTOR SHALL CONTACT
PROPERTY OWNER TO
DETERMINE FINAL SERVICE
LEAD LOCATION



SS-I-E.DWG



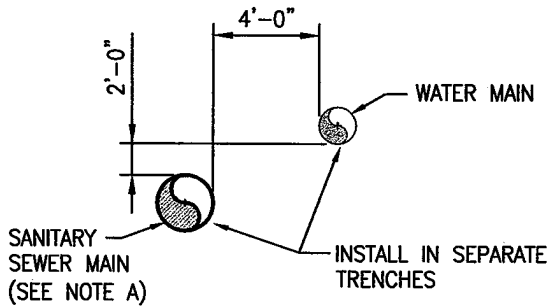
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SANITARY SEWER

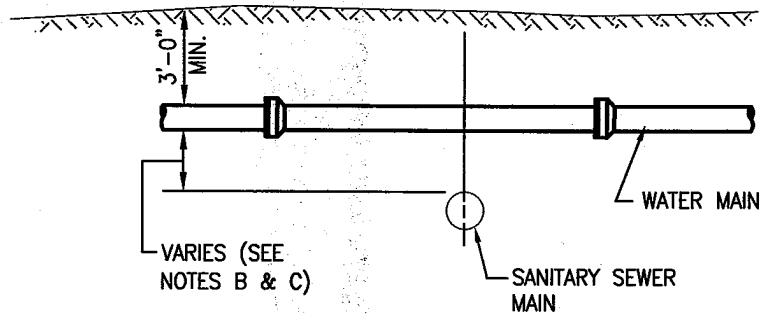
**STANDARD SANITARY
SEWER SERVICE**

I-E

09-26-02



PARALLEL MAINS



**CROSSING MAINS
(SEE NOTES)**

THE FOLLOWING RULES APPLY TO SEPARATION DISTANCES BETWEEN POTABLE WATERLINES AND SANITARY SEWERS.

- (1) WATERLINE / NEW SEWER LINE SEPARATION - WHEN NEW SANITARY SEWERS ARE INSTALLED, THEY SHALL BE INSTALLED NO CLOSER TO WATERLINES THAN NINE FEET IN ALL DIRECTIONS. SEWERS THAT PARALLEL WATERLINES MUST BE INSTALLED IN SEPARATE TRENCHES. WHERE THE NINE-FOOT SEPARATION DISTANCE CANNOT BE ACHIEVED, THE FOLLOWING GUIDELINES WILL APPLY.
 - (A) WHERE SANITARY SEWER PARALLELS A WATERLINE, THE SEWER SHALL BE CONSTRUCTED OF CAST IRON, DUCTILE IRON, OR PVC MEETING ASTM SPECIFICATIONS WITH A PRESSURE RATING OF BOTH THE PIPE AND JOINTS OF 150 PSI. THE VERTICAL SEPARATION SHALL BE A MINIMUM OF TWO FEET BETWEEN OUTSIDE DIAMETERS AND THE HORIZONTAL SEPARATION SHALL BE A MINIMUM OF FOUR FEET BETWEEN OUTSIDE DIAMETERS. THE SEWER SHALL BE LOCATED BELOW THE WATERLINE.
 - (B) WHERE A SANITARY SEWER CROSSES A WATERLINE AND THE SEWER IS CONSTRUCTED OF CAST IRON, DUCTILE IRON, OR PVC WITH A MINIMUM PRESSURE RATING OF 150 PSI., AN ABSOLUTE MINIMUM DISTANCE OF SIX INCHES BETWEEN OUTSIDE DIAMETERS SHALL BE MAINTAINED. IN ADDITION, THE SEWER SHALL BE LOCATED BELOW THE WATERLINE WHERE POSSIBLE AND ONE LENGTH OF THE SEWER PIPE MUST BE CENTERED ON THE WATERLINE.
 - (C) WHERE A SEWER CROSSES UNDER A WATERLINE AND THE SEWER IS CONSTRUCTED OF ABS TRUSS PIPE, SIMILAR SEMI-RIGID PLASTIC COMPOSITE PIPE, CLAY PIPE, OR CONCRETE PIPE WITH GASKETED JOINTS, A MINIMUM TWO-FOOT SEPARATION DISTANCE SHALL BE MAINTAINED. THE INITIAL BACKFILL SHALL BE CEMENT STABILIZED SAND (TWO OR MORE BAGS OF CEMENT PER CUBIC YARD OF SAND) FOR ALL SECTIONS OF SEWER WITHIN NINE FEET OF THE WATERLINE. THIS INITIAL BACKFILL SHALL BE FROM ONE QUARTER DIAMETER BELOW THE CENTERLINE OF THE PIPE TO ONE PIPE DIAMETER (BUT NOT LESS THAN 12 INCHES) ABOVE THE TOP OF THE PIPE.
 - (D) WHERE A SEWER CROSSES OVER A WATERLINE, ALL PORTIONS OF THE SEWER WITHIN NINE FEET OF THE WATERLINE SHALL BE CONSTRUCTED OF CAST IRON, DUCTILE IRON, OR PVC PIPE WITH A PRESSURE RATING OF AT LEAST 150 PSI USING APPROPRIATE ADAPTERS, IN LIEU OF THIS PROCEDURE THE NEW CONVEYANCE MAY BE ENCASED IN A JOINT OF 150 PSI PRESSURE CLASS PIPE AT LEAST 18 FEET LONG AND TWO NOMINAL SIZES LARGER THAN THE NEW CONVEYANCE. THE SPACE AROUND THE CARRIER PIPE SHALL BE SUPPORTED AT FIVE FEET INTERVALS WITH SPACERS OR BE FILLED TO THE SPRING LINE WITH WASHED SAND. THE ENCASEMENT PIPE SHOULD BE CENTERED ON THE CROSSING AND BOTH ENDS SEALED WITH CEMENT GROUT OR MANUFACTURED SEAL.
- (2) WATERLINE / MANHOLE SEPARATION - UNLESS SANITARY SEWER MANHOLES AND THE CONNECTING SEWER CAN BE MADE WATERTIGHT AND TESTED FOR NO LEAKAGE, THEY MUST BE INSTALLED SO AS TO PROVIDE A MINIMUM OF NINE FEET OF HORIZONTAL CLEARANCE FROM AN EXISTING OR PROPOSED WATERLINE. WHERE THE NINE FOOT SEPARATION DISTANCE CANNOT BE ACHIEVED, A CARRIER PIPE AS DESCRIBED IN PARAGRAPH (1)(D) OF THIS SECTION MAY BE USED WHERE APPROPRIATE.

SS-I-F.DWG



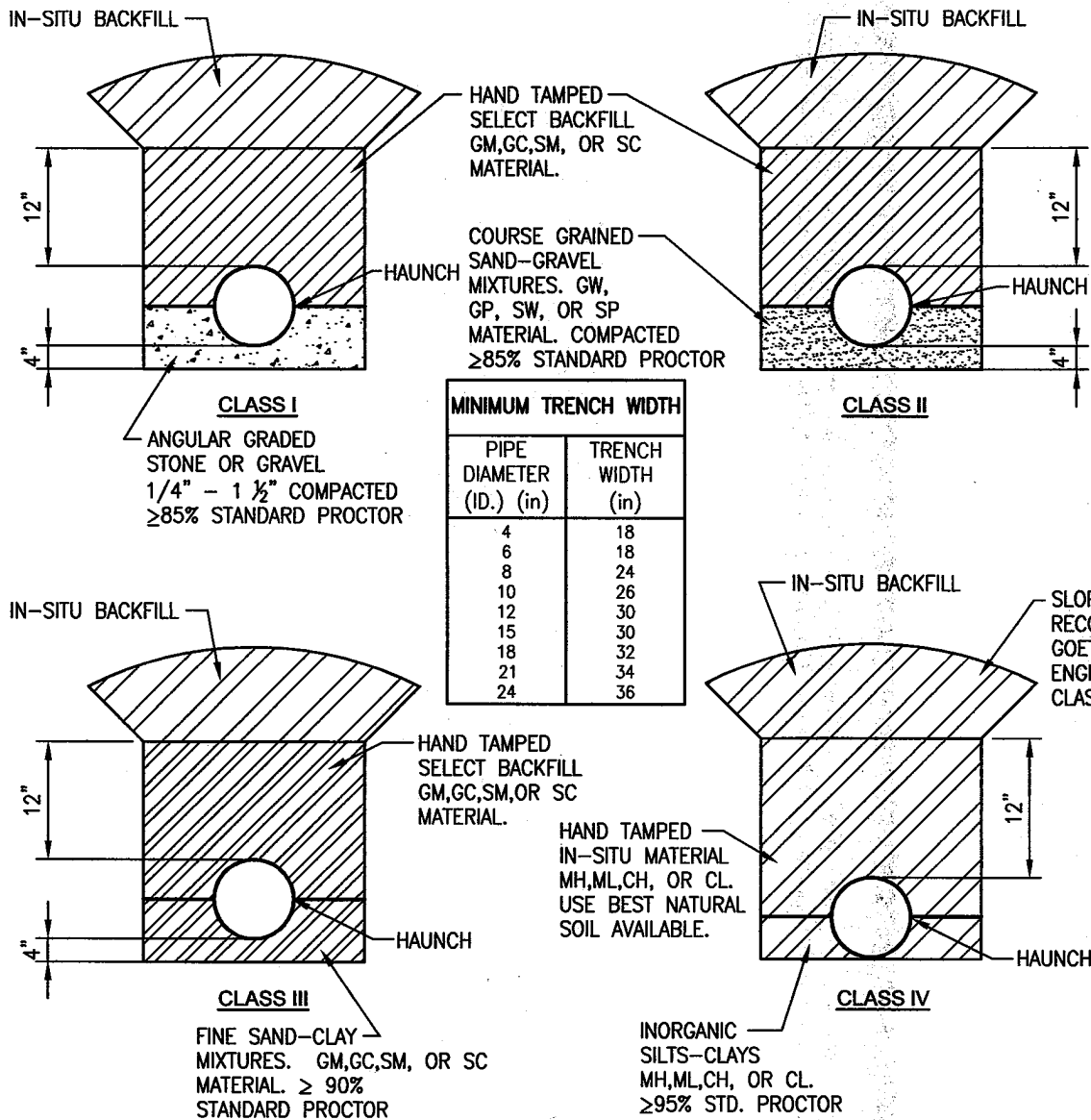
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PHONE: (936) 633-0414

SANITARY SEWER

**WATERLINE/SANITARY SEWER
CLEARANCES**

I-F

09-26-02



NOTES:

1. FOR SDR-26 OR A-2026 SEWER PIPE, 0-9 FEET, USE CLASS IV BEDDING.
2. FOR SDR-26 OR A-2026 SEWER PIPE, 10-15 FEET, USE CLASS III BEDDING. FOR DEPTHS GREATER THAN 15 FEET USE CLASS II BEDDING. UNLESS THE ACTUAL SOIL CONDITIONS MAY REQUIRE A HIGHER LEVEL OF BEDDING AS DETERMINED BY THE ENGINEER.
3. USE CLASS IV BEDDING FOR SEMI-RIGID TRUSS PIPE (ASTM D2680) 0-30 FEET DEEP. ACTUAL SOIL CONDITIONS MAY REQUIRE A HIGHER LEVEL OF BEDDING AS DETERMINED BY THE ENGINEER.
4. IN ALL CONDITIONS, REGARDLESS OF PIPE TYPE, WHERE ROCK IS ENCOUNTERED IN THE TRENCH BOTTOM BEDDING SHALL BE CLASS II OR BETTER.
5. IN ALL CONDITIONS, REGARDLESS OF PIPE TYPE, WHERE GROUNDWATER IS ENCOUNTERED IN THE TRENCH BEDDING SHALL BE CLASS I.
6. FOR TRENCH DEPTHS EXCEEDING FIVE FEET, PROVIDE OSHA APPROVED SAFETY PLAN, SEALED BY TEXAS PROFESSIONAL ENGINEER.

SS-I-G.DWG



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SANITARY SEWER

BEDDING DETAIL

I-G

09-26-02