

CITY OF SEGUIN

ORDINANCE NO.:

STATE OF TEXAS

AN ORDINANCE OF THE CITY COUNCIL OF SEGUIN, TEXAS AMENDING THE SEGUIN CODE OF ORDINANCES CHAPTER 102, UTILITIES, ARTICLE IV, WASTEWATER, BY ADDING TWO NEW SECTIONS TO DIVISION 3, CONNECTIONS, THAT SET OUT MAINTENANCE AND REPAIR DUTIES FOR SERVICE LINES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES

**WHEREAS**, it is not unusual for city staff to receive requests for cleaning out service lines between a house or business and the connection to the city's wastewater system; and

**WHEREAS**, for the most part a service line is located on private property and is installed by a licensed plumber; and

**WHEREAS**, other questions sometimes arise in those cases where a service line does not have a required clean-out at the property line; and

**WHEREAS**, staff recommends this Ordinance to delineate and clarify the responsibility of the homeowner with regard to service lines as well as the City's responsibility for its portion of the sanitary sewer.

**NOW THEREFORE BE IT ORDAINED**, by the City Council of Seguin, Texas:

**SECTION ONE.** The Seguin Code of Ordinances, Chapter 102, Utilities, Article IV, Wastewater, is amended by adding new Sections to Division 3, Connections, to read as follows:

**Sec. 102-180. Cleaning and repair of private sanitary sewer service lines.**

- (a) The property owner/occupant is responsible for cleaning or clearing all stoppages in the private sanitary sewer service line from the house or business to the tap at the City sewer main. The City will not clean or clear any stoppages located in the private sanitary sewer service line regardless of the location of the stoppage.
- (b) The property owner/occupant is responsible for all repairs, including emergency repairs, to the private sanitary sewer service line from the house or business to the property line.
- (c) Upon verification from a licensed plumber of a defective sanitary sewer line from the property line to the main, the City will repair the private sanitary sewer service line.

**Sec. 102-181. Procedure.**

- (a) The property owner/occupant is responsible for cleaning or clearing all private sanitary sewer service line stoppages.
- (b) If the property owner/occupant determines via camera inspection by a licensed plumber, or by other valid means, that there is a defective service line pipe located between the property line and the sanitary sewer main, the owner/occupant or their plumber should contact the City to schedule an inspection.
- (c) The City may re-verify property owner/occupant camera inspection report. If there is no functional clean out connection at the property line near the street or alley for access to the service line, the property owner/occupant, who must be at least 18 years of age or older, must sign a consent and release form provided by the City before the City can perform the re-verification camera inspection using the clean out near the house or business. The property owner/occupant is responsible for locating any clean out, or installing one if one does not exist. City employees shall not enter onto private property to perform any work to locate the clean out or make any alteration to the clean out. If the camera inspection confirms the location of the defect within the public right-of-way, the City will schedule and complete repairs at no cost to the owner/occupant.
- (d) The maintenance and repair of private sanitary sewer service lines from the house or business to the property line is the responsibility of the property owner. This includes clearing obstructions, repairing a defect that allows the introduction of extraneous flow or debris into the sanitary sewer system, repairing a defect that allows the discharge of sewage on the property, and keeping a clean out cap tight and in place on the private sanitary sewer service line. All applicable plumbing and City codes and ordinances must be followed regarding repair work.

**SECTION TWO.** The Seguin Code of Ordinances, Chapter 102, Utilities, Article IV, Wastewater, Division 3, Fees and Service Charges, Section 102-191, Residential customer rates, is amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

- (a) Applicability. The residential customer rate shall be applicable to single-family residential customers using city wastewater services for household purposes. Service will be furnished under this rate schedule subject to the established rules and regulations of the city covering this type of service.
- (b) Rate. The rate shall be as established by the city council and set forth in appendix C to this Code.
- (c) Minimum bill. The minimum bill shall be as established by the city council and set forth in appendix C to this Code.

(d) Multiple-dwelling units. Multiple-dwelling units, where served under one water meter, shall be billed under the applicable rate schedule for commercial customers.

~~(e) Clearing blockages. The fee for clearing blockages from private wastewater service lines by city crews shall be as established by the city council and set forth in appendix C to this Code.~~

**SECTION THREE.** City staff is hereby directed to have the following notice sent to all wastewater customers with their monthly bill:

**IMPORTANT NOTICE REGARDING YOUR SANITARY SEWER SERVICE**

Effective May 30, 2016, the City of Seguin will no longer provide cleaning of residential sewer service lines.

If you have a sewer stoppage on or after May 30, 2016, you will need to contact a plumber or other service provider. There are also a number of warranty programs and vendors that provide water and sewer service line warranties. These warranties usually cover maintenance and repair costs on the water and sewer service lines for a small monthly or annual fee. This may be a desirable alternative for you if you want to insure against unexpected repair or cleaning costs.

**SECTION FOUR.** In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall become effective upon ten (10) days following passage on second reading.

**SECTION FIVE.** If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

**SECTION SIX.** City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances.

**PASSED AND APPROVED** on first reading this 17th day of May, 2016.

**PASSED AND APPROVED** on second reading this 7<sup>th</sup> day of June 2016.

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DON KEIL, Mayor

ATTEST:

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Thalia Stautzenberger, City Secretary