

**AN ORDINANCE AUTHORIZING THE CITY OF
INGLESIDE ON THE BAY TO INSTALL, CHARGE
FOR AND PROVIDE SEWER SERVICES TO PROPERTIES
WITHIN AND OUTSIDE THE CITY LIMITS; REQUIRING
PROPERTY OWNERS TO CONNECT TO THE CITY SEWER
SYSTEM; REPEALING ALL ORDINANCES IN CONFLICT
HEREWITH; PROVIDING A PENALTY AND FOR
ENFORCEMENT; PROVIDING FOR PUBLICATION**

WHEREAS, Section 17.934, Texas Water Code, authorizes the Texas Water Development Board to require recipients of EDAP funds to require mandatory hook up to EDAP funded facilities; and

WHEREAS, Section 17.934, Texas Water Code, gives EDAP applicants the authority to mandate connection to their EDAP funded wastewater improvements; and

WHEREAS, the Texas Development Board formally adopted the mandatory hook up policy in 31 Tex. Admin. Code, Section 363.510; and

WHEREAS, Ingleside on the Bay has applied for EDAP funds for a wastewater project to supply sanitary sewer service to its citizens; and

WHEREAS, it is in the public interest, safety, and welfare for all property to be hooked up to a sanitary sewer system, and particularly all property capable of receiving services from the system constructed with EDAP funds; and

WHEREAS, it is the policy of the City Council of Ingleside on the Bay to protect the health, safety and public welfare of its citizens; and

WHEREAS, the provision of a wastewater system funded through EDAP funds by the Texas Water Development Board is in the public interest; and

WHEREAS, the requirement that Ingleside on the Bay adopt the mandatory hook up policy is in the public interest to further the safety, welfare, and interest of its citizens.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF INGLESIDE ON THE BAY, TEXAS THAT:

Section 1. The City is hereby authorized, pursuant to Section 17.934, Texas Water Code, to provide a sanitary sewer system to property owners within the corporate limits of the City of Ingleside on the bay and within the extraterritorial jurisdiction thereof. All property owners having said sewer service within one hundred feet (100') of their property and/or all property capable of receiving service from the system constructed with EDAP funds, shall connect to the City sewer system. All required connections shall be completed within ninety (90) days after the City sewer service is available. All existing on site wastewater systems shall be abandoned upon connection to the City sewer system. The City is authorized to charge the property owner for the sewer service even if the property owner fails to connect to said service.

Section 2. Should any word, phrase, clause, or part of this ordinance be declared unconstitutional by a court of competent jurisdiction, the remaining portions of said ordinance shall remain in full force and effect and to such extent as are declared severable.

Section 3. Should any provision or part of this ordinance be in conflict with any prior ordinance of Ingleside on the Bay; or part thereof, such prior ordinance shall be repealed to the extent of such conflict and the language of this ordinance shall be controlling.

Section 4. Violation of this ordinance is a Class C misdemeanor punishable by fine not exceeding the maximum fine set by law for conviction of a Class C misdemeanor. Additionally,

the City is authorized to enforce this ordinance by appropriate injunctive relief or other appropriate action.

Section 5. The City Secretary is authorized and directed to publish this ordinance by publishing the caption hereof in the official newspaper of Ingleside on the Bay.

PASSED this the ^{3rd} ~~1st~~ day of March, 1999.

INGLESIDE ON THE BAY, TEXAS

By: *Alfred Robbins*
Alfred Robbins, Mayor

ATTEST:

Diane Hosea
Diane Hosea, City Secretary



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**CITY OF
INGLESIDE
ON THE BAY
ORDINANCE
NO. 1999-01**

An ordinance authorizing the City of Ingleside on the Bay to install, charge for and provide sewer services to properties within and outside the city limits; requiring property owners to connect to the city sewer system; repealing all ordinances in conflict herewith; providing a penalty and for enforcement; providing for publication. A true copy of which is on file in the office of the City Secretary. PASSED AND APPROVED on March 2, 1999.

Published In The Ingleside Index, March 11, 1999.

THE STATE OF TEXAS
COUNTY OF SAN PATRICIO:

Before me, the undersigned authority, personally appeared

R P RICHARDS of The Ingleside Index, who after being

by me duly sworn, on his oath deposes and said:

1. That (he) ~~(she)~~ is PUBLISHER of The Ingleside Index a weekly newspaper published in San Patricio County, Texas.

2. That the CITY OF INGLESIDE ON THE BAY; ORD:#1999-01

hereto annexed, was published in the regular issues of said Ingleside Index once

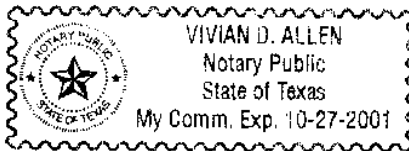
each week for One (1) successive weeks said publications

having been made on the MARCH 11, 1999

3. That a printed copy of said notice

as the same appeared in said issues is attached hereto.

R.P. Richards



Sworn to and subscribed before me this 11th
day of MARCH

19⁹⁹
Vivian D. Allen

PUBLICATION FEE: \$ 24.18

Notary Public, San Patricio County, Texas